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# The Rutherford Star.

"BE SURE YOU ARE RIGHT AND THEN GO AHEAD."—Davy Crockett.

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## POETRY.

### *A BLIGHTED LIFE.*

AY RISQUE.

At last the time has come when I must part,
From friends I've loved so long and loved so well.
A sad, sad feeling lingers 'round my heart,
Is from its depths there comes one word—farewell!

Farewell! sweet flowers that bloom in early Spring,
I give you up indeed with bitter pain,
Your early buds will bring the birds that sing
In choral gladness, 'round you once again.

I thought once more to see your blossoms come,
To clasp a tiny bunch within my hand,
To have your perfume sweetly fill my room,
Before I journey'd to that better land.

But I must not repine for He knows best,
He gives His children what they need—no more;
My heart is thine, oh, Lord, content I'll rest,
Until I reach that bright celestial shore.

Come nearer, mother, let me feel your kiss,
Upon my forehead as in days gone by;
What, tears my mother? Yes, you'll sadly miss
The child you love, now called so young—to die.

Come sit beside me, 'round me clasp your arms,
There's something I must tell you ere I die
Your sheltering love has kept me from all harm,
Even in the hour the tempter stood so nigh.

Tell him (my husband) that my latest thought
Was of the love I bore him in the past,
That love so pure, so holy, but which brought
Such endless woe, such misery at the last.

Tell him I blessed him, mother, ere I died,
Forgave each cruel, harsh and taunting word,
Hoped to the end he'd linger by my side,
That his loved voice would be the last I heard.

I know he'll come again when I am dead,
And strew the flowers I loved upon my grave,
They'll bloom into blessings on his head,
And shield from harm the soul I tried to save

I'm tired, mother—I am chill and cold
With your fona hand now smooth my pillow straight;
The Sun is gone, The day is growing old,
See! angels ope for me the Golden Gate!

## Selected Story.

### Unforgotten Words.

A STORY WITH AN EXCELLENT MORAL.

"Have you examined that bill, James?"

"Yes, sir."

"Anything wrong?"

"I find two errors,"

"Ah, let me see."

The lad handed his employer a long bill that had been placed on his desk for examination.

"Here is an error in the calculation of ten dollars, which they have made against themselves; and another of ten dollars in the footing."

"Also against themselves?"

"Yes sir."

The merchant smiled in a way that struck the lad as peculiar.

"Twenty dollars against themselves?" he remarked, in a kind of pleasant surprise. "Trusty clerks they must have."

"Shall I correct the figures?" asked the lad.

"No let them correct their own mistakes, We don't examine bills for other people's benefit," replied the merchant. "It will be time to rectify those errors when they find them out All so much gain as it now stands."

The boy's delicate moral sense was shocked at so unexpected a remark.—He was the son of a poor widow, who had given him to understand that to be just was the duty of man.

Mr. Carman, the merchant in whose employment he had been for only a few months, was an old friend of his father, and a person in whom he reposed the highest confidence. In fact, James had always looked upon him as a kind of model man; and when Mr. Carman agreed to take him into the store, he felt that great good fortune was in his way.

"Let them correct their own mistakes." These words made a strong impression on the mind of James Lewis. When first spoken by Mr. Carman, and with the meaning they involved, he felt, as we have said, shocked; but as he turned them over again in his thoughts, and connected their utterance with a person who stood so high in his mother's estimation, he began to think that perhaps the thing was fair enough in business. Mr. Carman was hardly the man to do wrong. A few days after James had examined the bill, a clerk from the house by which it had been rendered called for settlement.—The lad, who was present, waited with interest to see whether Mr. Carman would speak of the error. But he made no remark. A check for the amount of the bill as rendered was filled up, and a receipt taken.

"Is that right?" James asked himself this question. His moral sense said no; but the fact that Mr. Carman had so acted bewildered his mind.

"It may be the way in business"—so he thought to himself—"but it don't look honest. I wouldn't have believed it of him."

Mr. Carman had a kind of way with him which won the boy's heart, and naturally tended to make him judge whatever he might do in the most favorable manner.

"I wish he had corrected that error," he said to himself a great many times when thinking in a pleased way of Mr Carman, and his own good fortune in having been received into his employment. "It can't look right, but may be it's the way of business."

One day he went to the bank and drew the money on a check. In counting it over he found that the teller had paid him fifty dollars too much, so he went back to the counter and told him of his mistake. The teller thanked him and he returned to the store with the consciencliousness in his mind of having done right.

"The teller overpaid me fifty dollars,' he said to Mr. Carman, as he handed him the money.

"Indeed," replied the latter, a light breaking over his countenance; and he hastily counted the bank bills.

The light faded as the last bill left his finger.

"There's no mistake, James." A tone of disappointment was in his voice.

"I gave him back the fifty dollars.—Wasn't that right?"

"You simpleton!" exclaimed Mr. Carman, "don't you know that bank mistakes are never corrected? If the teller had paid you fifty dollars short he would not have made it right."

The warm blood mantled the cheek of James under his reproof. It is often the case that more shame is felt for a blunder than a crime. In this instance the lad felt a sort of mortification at having done what Mr. Carman was pleased to call a silly thing, and he made up his mind that if they should ever overpay him a thousand dollars at the bank he should bring the amount to his employer, and let him do as he pleased with the money.

"Let people look after their own mistakes," said Mr. Carman.

James Lewis pondered these things in his heart. The impression they made was too strong ever to be forgotten.—"It may be right," he said, but he did not feel altogether satisfied.

A month or two after the occurrance of that bank mistake, as James counted over his weekly wages, just received from Mr. Carman, he discovered that he was paid half a dollar too much.

The first impulse of his mind was to return the half dollar to his employer, and it was on his lips to say, "You have given me half a dollar too much sir," when the unforgotten words, "Let people look after their own mistakes," flashing upon his thoughts, made him hesitate. To hold a parley with evil is to be overcome.

"I must think about this," said James, as he put the money into his pocket—"If it is true in one case, it is true in another. Mr. Carman don't correct mistakes that people make in his favor and he can't complain when the rule works against himself."

But the boy was very far from being in a comfortable state. He felt that to keep half a dollar would be dishonest act. Still he could not make up his mind to return it, at least not then

James did not return the half dollar but spent it for his own gratification.—After he had done this it came suddenly into his head that Mr. Carman had only been trying him, and he was filled with anxiety and alarm.

Not long after, Mr Carman repeated the same mistake. James kept the half dollar with less hesitation.

"Let him correct his own mistake," said he resolutely, "that's the doctrine he acts on with other people, and he can't complain if he gets paid in the same coin he puts in circulation. I just want a half a dollar."

From this time the fine moral sense of James Lewis was blunted. He had taken an evil counsellor into his heart, stimulated a spirit of covetousness—ment in almost every kind—which caused him to desire the possession of things beyond his ability to obtain.

James had good business qualifications, and so pleased Mr. Carman by his intelligence, industry and tact with customers, that he advanced him rapidly, and gave him before he was eighteen years of age, the most reliable position in the store. But James had learned something more from his employer than how to do business well. He had learned to be dishonest. He had never forgotten the first lesson he had received in his first science; he had acted not only in two instances, but over a hundred, and almost always to the injury of Mr. Carman. He had long since given up waiting for mistakes to be made in his favor, but originated them in the varied and complicated transactions of a large business in which he was trusted implicitly; for it had never occurred to Mr. Carman that his failure to be just to the letter might prove a snare to this young man.

James grew sharp, cunning, and skilful; always on the alert; always bright and ready to meet any approaches toward a discovery of his wrong doing by his employers, who held him in the highest regard.

Thus it went on until James was in his twentieth year, when the merchant had his suspicions aroused by a letter that spoke of the young man as not keeping the most respectable company, as spending money too freely for a clerk on a moderate salary.

Before this time James had removed his mother into a pleasant house, for which he paid a rent of four hundred dollars; his salary was eight hundred but he deceived his mother by telling her it was fifteen hundred. Every comfort she needed was fully supplied and she was beginning to feel that after a long and painful struggle with the world her happier days had come.

James was at his desk when the letter was received by Mr Carman. He looked at his employer and saw him change countenance suddenly. He read it over twice, and James saw that the contents produced disturbance.—Mr. Carman glanced towards the desk, and their eyes met; it was only for a moment, but the look that James received made his heart stop beating.

There was something about the movements of Mr. Carman for the rest of that day that troubled the young man. It was plain to him that suspicion had been aroused by that letter. O, how bitterly now did he repent in the dread of discovery and punishment, and evil of which he had been guilty! Exposure would disgrace and ruin him, and bow the head of his widowed mother even to the grave.

"You are not well this evening" said Mrs. Lewis, as she looked at her son's changed face across the table, and noticed that he did not eat.

"My head aches."

"Perhaps the tea would make you feel better."

"I'll lie down on the sofa in the parlor for a short time."

Mrs. Lewis followed him into the parlor in a little while, and, sitting down on the sofa on which he was lying, placed her hand upon his head.—Ah, it could take more than the loving pressure of a mother's hand to ease the pain from which he was suffering.—The touch of that pure hand increased the pain to agony.

"Do you feel better?" asked Mrs Lewis She had remained some time with her hand on his forehead.

"Not much," he replied, and rising as he spoke, he added, "I think a walk in the open air will do me good."

"Don't go out, James," said Mrs. Lewis a troubled feeling coming into her heart.

"I'll only walk a few squares." And James went from the parlor and passed into the street.

"There is something more than headache the matter with him," though Mrs. Lewis.

For half an hour James walked without any purpose in his mind beyond the escape from the presence of his mother. At last his walk brought him near Mr. Carman's store, and at passing he was surprised at seeing a light within.

"What can this mean?" he asked himself, a new fear creeping, with its shuddering impulse, into his heart.

He listened by the doors and windows, but he could hear no sound within.

"There's something wrong," he said; "what can it be? If this is discovered what will be the end of it? Ruin! ruin! My poor mother!"

The wretched young man hastened on, walked the streets for two hours, when he returned home. His mother met him when he entered, and, with a concealed anxiety, asked him if he was better. He said yes, but in a manner that only increased the trouble she felt, and passed up hastily to his room.

In the morning the strangely altered face of James, as he met his mother at the breakfast table, struck alarm into her heart. He was silent and evaded all her questions. While they sat at the table the door bell rung loudly—This sound started James, and he turned his head to listen in a nervous way.

"Who is it?" asked Mrs. Lewis.

A gentleman who wishes to see Mr. James," replied the girl.

James rose instantly, and went out to the hall, shutting the dining room door as he did so. Mrs. Lewis sat watching her son's return. She heard him coming back in a few moments; but he did not enter the dining room. Then he returned along the hall to the street door, and she heard it shut. All was silent. Starting up she ran into the passage, but James was not there. He had gone away with the person who called.

"The young villain shall lie in the bed he has made for himself!" exclaimed Mr. Carman, in his bitter indignation. And he made the exposure completely. On the trial he showed an eager desire to have him convicted, and presented an array of evidence, that the jury could not give any other verdict than guilty.

And that was a sad going away! Mr. Carman had spent half the night in examining the accounts of James, and discovered frauds of over six thousand dollars. Blindly indignant, he sent an officer to arrest him early in the morning; and it was with this officer he went away from his mother—*never to return.*

The poor mother was in court, and audible in the silence that followed came her convulsive sobs upon the air. The presiding judge addressed the culprit, and asked if he had anything to say why the sentence of the law should not be pronounced against him. All eyes were turned upon the pale, agitated young man, who rose with an effort, and leaned against the railing for support.

"Will it please your honors," he said to direct my prosecutor to come a little nearer, so that I can look at him and your honors at the same time."

Mr. Carman was directed to come forward to where the boy stood. James looked at him steadily for a few moments, and turned to the judges.

"What I have to say to your honors is this," he spoke calmly and distinctly, "and it may in a degree extenuate, though I cannot excuse my crime. I went into that man's store an innocent boy; and if he had been an honest man I would not have been standing before you to-day as a criminal!"

Mr. Carman appealed to the court for protection against an allegation of such an outrageous character; but he was peremptorily ordered to be silent. James went on in a firm voice:

"Only a few weeks after I went into his employment, I examined a bill by his direction, and discovered an error of twenty dollars."

The face of Mr. Carman crimsoned. "You remember it, I see," remarked James; "and I shall have cause to remember it while I live. The error was in favor of Mr Carman. I asked if I should correct these figures, and he answered: 'No; let them correct their own mistakes. We don't examine bills for other peoples benefit. It was my first lesson in dishonesty. I saw the bill settled, and Mr. Carman take twenty dollars that was not his own. I felt shocked at first; I see me such a wrong thing. But soon after he called me a simpleton for handing back a fifty dollar bill to the teller of a bank which he had over paid me on a check, and then—"

"May I ask the protection of the court?" asked Mr. Carman.

"Is it true what the lad says?" asked the judge.

Mr. Carman hesitated and looked confused. All eyes were on his face; and judge and jury, lawyers and spectators, felt certain that he was leading the unhappy young man astray.

"Not long afterwards," resumed Lewis, "in receiving my wages, I found that Mr. Carman had paid me fifty cents too much, I was about to give it back to him, when I remembered his remarks about letting people correct their own mistakes, and said to myself, 'let him correct his own errors, and dishonestly kept the money.—Again the thing happened, and again I kept the money which did not of right belong to me. This was the beginning of evil, and here I am. If he had shown any mercy I might have kept silent, and made no defence.

The young man covered his face with his hands and set down overpowered with his feelings. His mother who was near him, sobbed aloud, and bending over, laid her hand on his head, saying:

"My poor boy! my poor boy!

There were few eyes in the court-room undimmed. In the silence that followed Mr. Carman spoke out:

"Is my character to be thus blasted on the word of a criminal, your honors? Is that right?"

"Your solemn oath that this charge is untrue," said the judge, "will place you in the right. It was the unhappy boy's only opportunity, and the court felt bound in humanity to hear him."

James Lewis stood up again instantly and turned his white face and dark piercing eyes upon Mr. Carman.

"Let him take his oath, if he dare!" he exclaimed.

Mr. Carman consulted with his counsel and withdrew.

After a brief conference with his associates, the presiding judge said, addressing the criminal:

"In consideration of your youth, and to which in tender years you were unhappily subject, the court gives you the slightest punishment—one year's imprisonment. But, let me solemnly warn you against any further steps in the way you have taken. Crime can have no valid excuse. When you come forth again after a brief incarceration, may it be with the resolution to die rather than to commit crime."

And the curtain fell on that sad scene in the boy's life. When it was lifted again, and he came forth from prison a year afterward his mother was dead. From the day her pale face faded from his vision, as he passed the from the court room, he never looked upon her again.

Ten years afterwards a man was reading a newspaper in a far western town. He had a calm, serious face, and looked like one who had known suffering and trial.

"Brought to justice at last!" he said to himself, as the blood came into his face; "convicted on the charge of open insolvency, and sent to the State prison. So much for the man who gave me the first lesson in ill doing. But, thank God, the other lessons have been remembered, "When you come forth again," said the judge, "may it be with the resolution to die rather than commit a crime!" and I have kept this injunction in my heart ever since; and, God helping me, I will keep it to the end."

### Synopsis of the Laws on the Subject of Fruit Distilling.

Every person intending to distill brandy from apples and grapes, exclusively, before entering upon the business, must—

1st. Register their stills with the assistant assessor of the division in which they reside, as provided in sec ion 5, act of July 20th, 1868. The assistant assessors are provided with the necessary blanks for this purpose, which can be had on application.

2d. Notice must be given in writing to the assessor of the district, stating the name and place of residence of the person or persons intending to engage in distilling, and the place where said business is to be carried on; also, the kind of still and the cubic contents thereof; the number and kind of boilers, mash and fermenting tubs, and a description of the lot or tract of land on which the distillery is situated; the size of the buildings, and of what material constructed.

3d. A bond must be filed, with at least two sureties, to be approved by the assessor, in the penal sum of at least $5,000, conditioned that the party or parties will faithfully comply with all of the requirements of the law relating to distillation.

4th. A survey must be made of the premises where the distillery is situated, by the asses or, at the expense of the United States.

5th. A sign with the words "Registered Distillery" upon it must be placed on the outside of the building where the distillery is situated

6th. A book or books must be kept in form prescribed by the Commissioner of Internal Revenue for the entry of the amount of mash or wort used daily for distillation; also the amount of proof spirits produced daily.

7th. Returns must be made monthly to the assistant assessor of the amount of spirits produced and the tax paid at the time of return.

8th. No spirits can be moved from the distillery until the same is inspected and gaged and the tax paid stamps affixed to the casks or packages containing the spirits by an officer designated for that purpose.

9th. A special tax of fifty dollars is imposed on all distillers of fruit who distill one hundred and fifty barrels or less per annum; also, a tax of two dollars per day while in operation.

All blanks and forms necessary to comply with the above can be had on application to the proper office.—*Standard.*

### Life of a Printer.

The following strange, eventful record of a journeyman printer's life is taken from an exchange, which pap r asserts is correct to the letter. It developes what a man can do if he likes, and what queer, enterprising, and unselfish fellows, the majority of the printers are:

"The life of a printer is, to say the least, one of variety. I left home at the age of nine, and was apprenticed to the printing business at thirteen; since then I have visited Europe, been in England, Ireland, Scotland, Wales and France, in Canada, Nova Scotia, Labrador, South America, West Indies, and all the Atlantic States of the Union, from Maine to Louisiana—have lived in twenty-seven cities and towns of the United States. I have been a sailor in the merchant service, and have sailed in all manner of crafts—ship, barque, brig, schooner and steamer—in the regular army as a private soldier, deserted, and got shot in the leg. I have studied two years for the ministry, one year for an M. D., traveled through all the New England States, New York, New Jersey, Pennsylvania and Virginia, as a journeyman printer, generally with little else than a brass rule in my pocket. I have been the publisher of three papers one in Boston, one in Roxbury, Mass., one in Maine. At one time I had $7 550 in my pocket of my own. I have been married twice, and am now nearly twenty six years old! I have been a temperance lecturer, and proprietor of a temperance theatre."

### A New Version of Woman's Rights—A Wife Living Peacefully with Two Husbands.

There is a very remarkable case of matrimonial felicity (?) in this city which is not generally known to the public. In the the West Division lives a woman with two husbands, to each of whom she has been married in legal form. At the time the war broke out this woman was living with her first husband, by whom she had three children. Soon after the breaking out of the rebellion her husband enlisted, and went off in the role of a "brave soldier boy." A year or two after, his wife heard that he was killed in battle. She heard nothing from him personally, the war closed, and he failed to write or to report at his former "headquarters" in Chicago. His wife now considered herself a widow, beyond all doubt, and in course of time she married again. But a few months ago, to her amazement, husband No. 1, whom she mourned as dead, returned to his long deserted domicile, but like Enoch Arden, only to find his wife the spouse of another man. But, unlike Enoch Arden, he failed to die of a broken heart. A council of war was held by the three heads of the family, and the difficulty amicably adjusted. What to some men and women similarly situated would have resulted in pistols, blood and litigation, was settled readily and satisfactorily by this amiable trio. It was mutually agreed that both husbands should continue to be "liege lords" of the woman, on equal terms, and she should be the wife of both husbands. Soon after the soldier-husbands return home, the wife presented to him and to the world another child, the off-spring of No. 2. But this little circumstance did not seem to disturb the equilibrium of No. 1, nor the peace of the household. And there dwells that "happy family"—one wife, two husbands, and four children—in a small cottage, as quietly and contentedly, to all appearances, as if nothing unusual had ever happened. Verily this is an age of wonders, and Chicago in the place where they are to be found.—*Chicago Journal.*

### An Affecting Scene.

On Tuesday last a young man named George W. Conklin, who resides in Harlem, while passing the creek near Ninety-Sixth street, accidently fell in, and before assistance could be rendered, he was drowned. The cries of the drowning man brought Conklin's wife to the scene, who, instead of going into histerics at the sight of her husband struggling for life like a brave woman set about to extricate him from his perilous position. Obeying the drowning man's command, she procured a boat which was moored near by, and had nearly reached her husband, when he sank for the last time, and when recovered a short time afterwards, life was found to be extinct. Just before going down for the last time, Conklin raised his hands imploringly to his wife, and with his parting breath exclaimed, "I'm going, Mary, take good care of the children—Good-bye."—*New York Star.*

### Blackberry Wine.

A subscriber desires a receipe for making this healthy and pleasant beverage.—Dr. Benbow, of this place, who makes it in large quantities and is the greatest wine producer in the State, gives us the following as his method:

Express the juice from thoroughly ripe berries; let it stand over night in open vessels; in the morning skim off the top; put it into good clean vessels and add two and a half pounds of good sugar to the gallon of juice; keep in a cool dry place leaving the bung sufficiently loose to allow the gas to escape during fermentation, until after Christmas, when it should be racked off and corked tight.—*Add no water*—as water will not make wine.—*Greensboro' Patriot.*

### Colic in Horses.

P. S. Garman, of Elkhart county, Indiana, gives his experience in treating cases of colic in horses. "A few days ago a horse of mine was attacked with a fit of colic. It was so severe that I thought the animal must die in less than thirty minutes if not relieved. I drenched it with the following mixture: three ounces spirits of turpentine, one ounce of laudanum, half pint warm water. It proved a specific, the animal being relieved in about ten minutes after drenching."

### Loss of Appetite in Horses.

It takes a bold horse doctor to order simply two quarts of sour apples and "no grain" for a lack of appetite; as it required an Abernathy to send off the dyspepic clergyman, who had crossed the water to see him, with a charge to "Go home and build a barn."

Dr. Spring, of Boston, weighed 585 pounds, and had a foot of thirteen inches in length and fourteen and half inches in breadth.

### Spanish Proverbs.

He is a rich man who has God for his friend. He is the best scholar who has learned to live well. A handful of modesty is worth a bushel of learning. You had better leave your enemy something when you die than live to beg of your friends.—Enjoy what little you have while the fool is looking for more. Saying and doing do not dine together. May you have good luck, my son, and a wit will serve your turn. Gifts break through stone walls. Go not to your doctor for every ail, nor to your pitcher for every thirst. There is no better looking-glass than an old true friend. A wall between two preserves friendship. A creditor always has a better memory than the debtor.

## OFFICIAL.

### PUBLIC LAWS OF NORTH CAROLINA,

PASSED BY THE GENERAL ASSEMBLY OF 1868-'69.

(No. 159.)

Proceedings of Impeachment.

Passed March 22d, 1869.

The General Assembly of North Carolina do enact as follows:

CHAPTER —

Section 1, Trial Court of Impeachment,

The court for the trial of Impeachment shall be the Senate.

Sec. 2. Quorum.

A majority of the members shall be necessary to a quorum.

Sec. 3. Exhibition of Articles.

All impeachments must be delivered by the House of Representatives to the presiding officer of the Senate, who shall, thereupon, cause proclamation to be made in the following words, viz: "All persons are commanded to keep silence, on pain of imprisonment, while the House of Representatives is exhibiting to the Senate of North Carolina articles of impeachment against ." After which the articles shall be exhibited, and then the presiding officer of the Senate shall inform the House of Representatives that the Senate will take proper order on the subject of impeachment, of which due notice shall be given to the House of Representatives.

Sec. 4. Powers of the Court.

The Senate, as a court, shall have power to compel the attendance of parties and witnesses, to enforce obedience to its orders, mandates, writs, precepts and judgments, to preserve order, to punish, in a summary way, contempts of its authority, orders mandates, writs, precepts or judgments to adjourn from time to time, and to make all lawful rules and regulations which it may deem essential, or conducive to the ends of justice.

Sec. 5. Powers of the presiding officer.

The presiding officer of the Senate shall have power:

1. To direct all necessary preparations in the Senate Chamber;

2. To make and issue by himself or by the Clerk of the Senate all orders, mandate, writs and precepts authorized by law, or by the Senate;

3. To direct all the forms of procedure, during the trial not otherwise specially provided for;

4. To decide the first instance, without a division, all questions of evidence and incidental questions, but the same shall, on demand of one-fifth of the present, be decided by yeas and nays.

Sec. 6. When Chief Justice to preside.

When the Governor of the State, or Lieutenant Governor, upon whom the powers and duties of the office of Governor have devolved, is impeached, the Chief Justice of the Supreme Court shall preside and in a case requiring the Chief Justice to preside, notice shall be given him, by order of the Senate, of the time and place fixed for the consideration of the articles of impeachment, with a request to attend; and the Chief Justice shall preside over the Senate during the consideration of said articles, and upon the trial of the person impeached therein. But the Chief Justice shall not vote on any question during the trial, and shall pronounce decision only as the organ of the Senate with its assent.

Sec. 7. Process against the accused to appear and answer.

The Senate, upon the presentation of articles of impeachment and its organization as a Court, shall forthwith cause the person impeached to appear and answer the articles exhibited either in person or by attorney; he shall be entitled to a copy of the impeachment and have a reasonable time to answer the same.

Sec. 8. Accused entitled to Counsel.

The person accused is entitled, on the trial of impeachment, to the aid of counsel.

Sec. 9. What done when issue is joined.

When issue is joined in the trial of an impeachment, the court shall fix a time and place for the trial thereof.

Sec. 10. Oath of members.

At the time and place appointed, and before the commencement of the trial, the presiding officer of the Senate shall administer to each member of the court then present, and to other members as they appear, an oath or affirmation, truly and impartially to try and determine the charge in question, under the Constitution and laws, according to the evidence. No member of the court shall sit or give his vote upon the trial, until he shall take such oath or affirmation.

Sec. 11. Two thirds required to convict.

No person shall be convicted, on an impeachment, without the concurrence of two-thirds of the Senators present.

Sec. 12. Judgment upon conviction.

Upon a conviction of the person impeached, judgment may be given that he be removed from office; or that he be disqualified to hold any office of honor, trust or profit, under this State, or both; but no judgment can be pronounced.

Sec. 13. Officers suspended by impeachment.

Every officer impeached shall be suspended from the exercise of his office until his acquittal.

Sec. 14. Impeachment of President of the Senate.

If the President of the Senate be impeached, notice thereof shall immediately be given to the Senate by the House of Representatives, in order that another President may be chosen.

Sec. 15. Indictment after conviction.

Every person convicted, on impeachment, shall, nevertheless, be liable to indictment according to law.

Sec. 16. For what offences officers liable to be impeached:

Every officer in this State shall be liable to impeachment for:

1. Corruption or other misconduct in his official capacity.

2. Habitual drunkenness.

3. Intoxication while engaged in the exercise of his office.

4. Drunkenness in any public place.

5. Mental or physical incompetence to discharge the duties of his office.

6. Any criminal matter, the conviction whereof would tend to bring his office into public contempt.

Sec. 17. When act to have effect.

This act shall have effect from the date of its ratification.

Ratified the 10th day of April, 1869.

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# The Star.

J. B. CARPENTER. L. W. LOGAN.

CARPENTER & LOGAN

EDITORS AND PROPRIETORS.

*Best Advertising Medium in Western North Carolina.*

RUTHERFORDTON, N. C.

THURSDAY, JULY 22, 1869


### East and West United.

Notwithstanding we are western men, and have at all times, contended for justice to the west, in all things, we do not wish to be understood as selfishly sectional. True it is, that Western North Carolina, never has been treated with that justice and equality that should have been dealt out to the whole State alike, but we are willing that the past shall be the past, if in the future we can receive a "fair divide." But as we were going to say, although we are western men, and shall ever be watchful of the interest of the West. We will rejoice at any time to take our eastern friends by the hand, and say we are united for the interest of one and all, without regard to section.

We believe that this time is approaching, and that there is a feeling of unity arising among the people East and West, that will, if carried out, be of inconceivable benefit to the whole State.

We may give as an instance, the proposed consolidation of, the N. C. Railroad and the Atlantic and N. C. Railroad.—The East and West are almost a unit in favor of consolidation, believing it to be to the interest of the State, and to the people.

The consolidation of the above named roads, would give a continuous line of Railroad, from the Sea-shore to the blue Mountains of Western North Carolina, not only making the State's interest in said roads more valuable and profitable, but, it would be of very great advantage to the whole people. Virtually uniting the East with the West, and would be the means of reducing freights and transportation, to a reasonable rate, and thus enabling the people along the whole line of road to travel and transport, to advantage and profit.

When this matter was presented to the General Assembly, the Eastern and Western members, united almost to a man for consolidation, and carried the measure, by a considerable majority, only being approved by a central influence.

The Stockholders of the Atlantic & N. C. Railroad, at a meeting a short time ago, voted almost unanimously for consolidation.

The Stockholders on the Western N. C. Railroad we understand are largely in favor of consolidation, thus showing that the East and West, are united upon this important question. United for the interest of their State, unbiased by sectional prejudices. We are confident that the will of the people throughout the State is largely for consolidation.

Notwithstanding all of the arguments and reasoning that has, or will be brought to bear for consolidation; although it is conceded by a great many that it would be the best thing that could be done for the State, and that the people of the State are for it, we fear that at this time consolidation cannot be effected. There is a certain *central* influence brought to bear, that will prevent it. This is the only obstacle in the way, but this is only a temporary obstacle. The people of North Carolina will put it out of the way. The consolidation of these Roads is inevitable. It is only a question of time when it will be effected. It is to the interest of the State that it should be done, and the people demand it. They know the great advantages that will be derived from consolidation, and they will not rest until it is effected.

We offer our eastern friends our hands in this move. We are united in the interest of our State and people. Then let us cast off all sectional prejudice and work together for the common good of all.

**The democrats of Pennsylvania have nominated Asa Packer for Governor. He is said to be worth twenty million dollars, and is expected to spend a considerable sum to secure his election.**

### Our Local.

We feel it to be our duty to inform the friends of the STAR the reason that the Local column of our paper is deficient this week.

Our Local Editor has been busy all this week trading in *brass* and other metals; we suppose his attention was to accumulate enough *brass* to face *Racing Jake*, we are not sure that he has been successful, but one thing we do know he succeded in getting enough to *ride* him. The last we saw of him he was *on top*.

### Township School Committee.

We notice some of the Townships in this county have nominated but two candidates for School Committee of each Township. The number is not enough. There must be *three*. Sec. 15, of the act to provide for a system of public instruction says:

"In each Township there shall be biennially elected, by the qualified voters thereof, a School Committee, to consist of three persons, who shall establish and maintain, for at least three months in every year, a sufficient number of schools at convenient localities, which shall be for the education of all children between the ages of six and twenty-one years, residing therein."

### The President of the Wilmington, Charlotte and Rutherford Railroad—The Executive—The Superintendent of Public Works and the Supreme Court.

### COWAN'S POSTPONEMENT.

OFFICE OF PRESIDENT AND DIRECTORS,
Wilmington, N. C. July 9, 1869.

For extraordinary reasons, the meeting of the Stockholders of this Company, appointed for the 29th instant, is hereby postponed until future notice to be given by the Board of Directors.

July 12, 1869. R. H. COWAN Pres.

### PROCLAMATION.

A telegraphic dispatch from Gov. Holden dated Raleigh, Monday, July 19th, says:

"I have issued a Proclamation in accordance with law for a meeting of the Stockholders of the Wilmington, Charlotte and Rutherford Railroad, at Wilmington, on the 29th, of July, (inst.,) notwithstanding the notice by the President of the Company postponing said meeting. The meeting will be held on the day mentioned, 29th of July.—*Char. Dem.—Extra.*

We understand that the case, in which the Executive enjoined the Superintendent of Public Works, as to the N. C. Rail road, was heard before Judge Watts, and, by appeal taken to the Supreme Court, now in session. We are further informed that the Superintendent of Public Works, through his Counsel, is trying to get a hearing before the Supreme Court, and an opinion, in order that the much vexed question, between him and the Executive, as to who has the control or appointing power, of the Director's &c., in the Railroads of the State, in which the state is interested, may be decided.

We regret very much, that things appear to be tangled up so much, there is certainly a wrong somewhere, and it behooves the people, and especially those directly interested, to watch well what is going on.

We have referred, to the postponement of the meeting of the Stockholders by Mr. Cowan, the Proclamation of the Governor, and the case before the Supreme Court in order that the people may see, how the W. C. & R. Railroad now stands, and that they may look to their interests.

### Charlotte and the W. C. & R. R.

It is a matter of some surprise to see so little interest exhibited by the citizens and press of Charlotte, for the completion of this road to Charlotte and on over the Blue Ridge. The press seldom ever has anything to say about the road beyond giving the news concerning it. There seems to be no desire to have the road completed to Charlotte, nor any interest felt whether the Western Division is completed according to the Charter, or turned off at Lincolnton and strike the Morganton road at Newton. An attempt of this kind was made a year or two ago, and failed. If the press of Charlotte desire another railroad to their town, we cannot tell it from what they have said about the road. We have done all we could to stir up Mr. Cowan, and the people along the line of the road, for the purpose of hurrying it to completion on both ends. Mr. Cowan obtained a million of bonds from the Constitutional Convention of 1868, and pledged himself to several of the strongest friends of the road, that a portion, if not all of the million of bonds should be applied to the completion of the Western Division, not one dollar did he put on the Western Division. Four years have passed away since the close of the rebellion, and not one shovel full of dirt has been thrown on this end of the road. We are not surprised at Mr. Cowan. We have no thought that he will ever complete the road to this place. We are surprised at the Charlotte press for being so lukewarm on this subject. It must be plain to every one, that Charlotte will be benefitted as much by the completion of the road as any town on the line; and still, from her press you would not know that there is such a corporation as the Wilmington, Charlotte & Rutherford, Railroad. Let us hear from all the Charlott papers on this subject. Don't get on the fence Yates. Keep cool Waring.

### The Executive—The Superintendent of Public Works.

We regret very much to see the difficulty that has arisen between Gov. Holden and Col. Harris concerning their separate powers and duties. Col. Harris claims that by virtue of his office and the Constitution and laws in relation thereto, he has control of all the public Works of the State, that he has the power to appoint the directors and vote for the State in all elections of corporations wherein the State is interested. Gov. Holden holds that this power has always belonged to him, and that it has not by law been given to any other officer, thus it will be seen that the difficulty between them was unavoidable. We regret to see any difficulty arise between two of the highest officers of the State. But in this instance we have no scruples in giving it as our opinion, that Col. Harris is in the right. We believe that the Constitution and laws of North Carolina, clearly give him all the rights and powers that he is now claiming, and in this opinion we are confident that we are sustained by nine-tenths of the citizens of this section of the State.

The people have great confidence in Col. Harris as a public servant, and are anxious that he should contend for all the rights and powers given him by the Constitution and laws of the State, and not surrender them to any one until he has given them a full and fair test, before the proper tribunal. We urge him to stand up to the last, and we are assurred that the people will back him, in all that is right and just.

### Western North Carolina.

We only express an honest conviction, when we affirm that Western North Carolina possesses a greater variety of the natural advantages, than any other portion of the world, of the same dimensions.

Tourists, who have had opportunities to form a correct opinion on the subject, pronounce our scenery, to be unsurpassed, either in the eastern or western hemisphere. There are, as we all know, more noted objects of natural scenery than any we have; the Natural Bridge, Mammoth Cave, Niagara Falls, and the Yosemitte Valley, for instance; but spoken of as a whole, as to its general aspect, we challenge the world.

Some will think that fine scenery, alone furnishes neither very great inducement, to immigration, nor very obvious and substantial advantages to the population. We grant it, But, other things being equal, who would not select for his dwelling place, a locality, where the prospect on every side is pleasing and varied; with mountains and valleys, hills and plains, rather than one unrelieved by this variety? In this respect the face of nature is like that of the human—to be attractive, the features must be varied and well defined.

We have then an advantage in our scenery which should not be overlooked.

As to climate we have but one rival. According to recent statistics Western North Carolina and Western Massachusetts afford the greatest average longevity of any other places in the United States. Any person acquainted with the different modes of living in these two localities will be compelled to admit that that mode which prevails in Massachusetts is far more favorable to long life, than ours, and that our climate must be the superior one to overcome the disadvantages we labor under in this respect.

Certain it is, that we have no local or endemic diseases. It cannot be denied that we meet with pale, weakly, sallow, dwarfish, ill-shapen persons who are native "and to the manor born." And they are so numerous as to attract the notice of strangers and give them an unfavorable impression as to the salubrity of our climate. But this can all be accounted for on the score of ignorance and inattention to the laws of health. Ignorance, laziness, filthiness, sensuality and intemperance are generally at the bottom.—Proper attention to the physical, mental and moral requirements of our nature would develop here, a race of people, such as could be found in no other place on the face of the earth.

But we know too well that men will forego all the advantages of scenery and climate, for what they erroneously regard as greater ones—such as seem to promise a speedy fortune. To mere seekers of fortune, we offer no particular inducements. The only invitation we give them is to stay away. Of financial and political adventurers, we have a surfeit.

But we desire to see come amongst us the sober, industrious, laboring classes; and also men of wealth, education and morality. Such we cordially invite; and it is to induce them to come, that we speak of the advantages of this section of the State. Add then to the advantages of scenery and climate, our agricultural resources, and the proposition with which we begun this article, will be established.

Persons who have been practical miners in California, say that the chances for success here are equal, if not better than they are there. Immense quantities of gold have, in times past, been obtained from our mines, and no one capable of forming an opinion, thinks that one-half the mines have been worked, or, those that have been worked, have been half exhausted.

Very little system has been adopted in this department, as yet; and there is every reason to believe, that whenever it is adopted, it will produce the most satisfactory results.

Gold is only one of the many valuable metals to be found in this locality. Lead and copper ores are abundant, and of iron ore, of the very best quality, there is no limit.

In manufacturing resources we may challenge the world. There is available water-power in the three counties of Rutherford, Henderson and Buncombe sufficient to turn all the cotton spindles in the United States; and leave a surplus to run most of the other machinery used in the manufacture of iron, leather and other staple articles.

Our lands are cheap and productive, and so well divided into uplands and bottoms, that, be the season wet or dry, we never fail to make a supply of provisions for home consumption, and generally a large quantity for exportation. We produce nearly every variety of crops, except those purely tropical Grains, and roots of every description find here a congenial soil; and both soil and climate are remarkably well suited for fruits of all kinds. If there is any one thing we can excell in, it is in this.

Grapes grow wild in our mountains, in such abundance and luxuriance, as to astonish those who are familiar with the vineyards of France and Spain. Apples and peaches reach the highest degree of perfection in taste and keeping quality.

There is no better grass country; and stock-raising and wool-growing, if properly carried on, would be immensely remunerative.

Our short, mild winters are particularly favorable to these pursuits, compared with the severity and length of the winters in the northern states, where sheep and cattle must be sheltered and fed during at least one half the year. While our winters are short and mild, our summers are not so oppressively warm as to prevent continued labor, or to enervate the system, which is the case in the more southern states. Thus we enjoy a most happy medium.

The emigrant to the Western states experiences very serious inconvenience from the scarcity of wood and water. The want of these counterbalances, in a great measure, the advantages to be enjoyed and drives many who have gone there back to their home. In the northern states the requirements of a dense population have reduced the supply of timber so that considerable inconvenience is felt. Our case is entirely different. We have an abundance of the purest water, and wood and timber enough for a century to come. Now take into consideration how intimately connected and dependent upon each other these three great departments of industry are; that is, mining, manufacturing and agriculture, and point out, if possible, any section of country possessing advantages so various and so decided.

Where can the capitalist invest his funds, expecting greater or more permanent results. Where can the working man hope to find more for his hands to do. And what country is there whose scenery and climate is more inviting to the man of wealth and elegant leisure. To all such we promise a hearty welcome.

### Southern Immigration.

The following which we take from the Washington *Chronicle* says the *Standard* will be read with interest by all people. Nothing is more needed to benefit our State and to restore it to its former prosperity than immigration. Our people, compared to the extent of our State, are few, and we need the presence of thousand more of industrious men. We have room for all that will come, and can offer them inducements equaled by no other State in the Union. A warm welcome will be given all who come to make their homes among us, and everything will be done to enable immigrants to obtain such locations as they may desire. The following from the *Chronicle* shows that the attention of the people of the North, and of Europe, is directed to the South and we may soon hope to see thousands of immigrants coming to help us build up North Carolina;

SOUTHERN EMIGRATION.—Intelligence upon which we place implicit reliance justifies the remark that there is more interest manifested in Germany, Sweden and Norway, in America Southern immigration, than at any former period. The great European emigration houses, with their hundreds of agents are carefully gathering information and industriously circulating it. The States to which they are now turning their attention are Virginia, Tennessee, Alabama and North and South Carolina. The winter is the season for canvassing for emigrants, and the statistics should be sent forward during summer. All that is needed to turn the tide southward is the assurance of peace, liberty and tolerance in the South. Great attention has been excited in Europe by the efforts of Northern men in favor of populating the South, and in a few months the result will begin to show themselves practically.

The President has fixed the day for the elections in Mississippi and Texas for the last Tuesday in November, to wit: November 30. This day was determined upon so as to place the matter beyond all interference by the cotton crop or other industries requiring the attention of the laboring population, and yet have the elections transpire before the meeting of Congress.—The mode of submitting the Constitution to Mississippi was also determined to wit, the test oath and disfranchising clause to be submitted separately, as in Virginia, while the Twelfth Article, which provided the manner and time of submitting the Constitution, having become inoperative because of the rejection of the instrument at the last election, is left out altogether. The Texas Constitution will be submitted as a whole, it being much more liberal in the matters generally termed proscriptive than either the Virginia or Mississippi Constitution.

### Attack on the Fourth of July.

The Vicksburg *Times* of the 4th instant has a long editorial headed "The Memory of the Day," full of treason, scurrility and falsehood, from which we make the following specimen extract:

We of the South only ask that the Fourth of July be no longer considered as a National Holiday. Its celebration perpetuates a falsehood. It no longer symbolizes the day of freedom and independence of States against outside aggression. It simply tells the mournful story how a nation in giving freedom to an interior and enslaved race, lost its own liberty.

"We of the South" ask no such things The statement is false, presumptuous and impudent. If the writer had said: "*we a few scurvy, traitorous renegade* YANKEES, and *greedy, seedy* Democratic OFFICE SEEKERS, ask," &c., the statement would have been probably true, and certainly appropriate, inasmuch as he speaks, and has a right to, speak *for that class*, and that class *only*. If we except the bloody-minded *Commissaries* of the late Confederate army, of which Department *Major* Hillyer is believed to have been the most sanguinary of all, a majority of the Southern soldiers, it is believed, are now returning in good faith and allegiance to their native flag. This, we believe, is true also, of a majority of all the plain, honest white men whether in the Confederate army or not, in Mississippi.—But Democratic politicians and office seekers, and yankee-rebel Commissaries, are still on the tented field, marching under "the stars and bars," and determined to have *office* or shed their last drop of—*ink*, in blackguarding the Republic and every decent Union man in it. Let them do this if they choose, but do it in *their own names exclusively*. "We of the South" have surrendered! And intend in future to stand by the Fourth of July and the flag of our fathers.—*Vicksburg Republican.*


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**Factory Yarn.**

A GOOD article of Factory Yarn for sale at J. M. CRATON'S mch26tf

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TOILET SOAPS, Perfumeries, Extracts and other Notions, for sale cheap at J. W. CLARKE'S. june 24tf.

LADIES DRESS GOODS. Calicoes 12½ cents per yard; best quality of American Prints for 20 cents per yard, Delaines, Alpacas, Merinos, Cassimeres, Ginghams, Bereges, Linseys, Denims, Corset Jeans, &c., &c., for sale by JAS. A. MILLER. june 24tf.

RAILROAD CARTS, manufactured by 13-tf. J. B. CARPENTER & CO.

HOOP SKIRTS, and everything else the Ladies want, for sale by JONES & BRYAN. mch25tf

SHIRTINS, Prillings, Flannels of all qualities, for sale at J. W. CLARKE'S june 24tf.

DRUGS, Paints, Oils, Varnishes, Dye-Stuffs, Kereosene, &c., &c., for sale by JAS. A. MILLER. june 24tf

ALL kinds of Gentleman's Dress Goods, for sale by JONES & BRYAN mch25tf

BEST CHEWING AND SMOKING TOBACCO for sale at J. W. CLARKE'S. june 24tf.

BOOTS and Shoes of the best Calf Skin for sale cheap by JAS. A. MILLER. june 24.

MR. ELIAS ALBRIGHT, one of the best workmen in wood, will always be found ready to accommodate his friends, at the shop of J. B. CARPENTER & CO. 13-tf

FANCY ARTICLES to please your wives and babies, at JAS. A. MILLER'S. june 24tf.

BOOTS and Shoes of all kinds and prices to suit customers, for sale by JONES & BRYAN. mch25tf

CIGARS. If you want a good cigar do not fail to call at JAS. A. MILLER'S. june 24tf.

**Blacksmithing.**

WE have secured the services of W. Tobias Morris in our Blacksmith Shop, who knows what to do with iron. 13-tf. J. B. CARPENTER & CO

COUNTRY PRODUCE of all kinds and at highest market prices taken in exchange for Goods by J. W. CLARKE. june 24tf

HATS for Ladies, Gentlemen or Children, for sale by JAS. A. MILLER. june 24tf.

HATS and Caps, of the latest styles, for sale by JONES & BRYAN. mch25tf

HEMLOCK SOLE LEATHER, Kip Skins, Calf Skins, Sheep Skins, &c., at JAS. A. MILLER'S. june 24tf.

COTTON YARN. A quantity of the best article of Cotton Yarn, of all numbers just received from the Factory, for sale by JAS. A. MILLER. june 24tf.

REPAIRING in Wood and Iron done at the lowest rates by J. B. CARPENTER & CO. 13-tf

GENTLEMENS DRESS GOODS, of all styles and qualities for sale at low prices at J. W. CLARKE'S june 24tf.

COFFEE, Sugar, Salt, Bacon, Flour, Soda, &c., cheap at JAS. A. MILLER'S. june 24tf

**SALT! SALT!**

**Now is the time to buy your Salt for winter use.**

I Have just received and have on hand for sale a large lot of the best quality of Liverpool Salt which I am offering low for cash or country produce. june 24tf. J. W. CLARKE.

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| | | | |
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| Switzerland, Rhine, Pyrenees, Paris, England, Scotland, | Ireland, Wales, Pompeii, Germany, Algiers, Italy, | Spain, Tuileries, St. Cloud, Tyrol, Crystal Palace, | Herculaneum Fontainebleau, Compiegne, Versailles, Windsor, Rome, &c., &c. |

**THE LANDS OF THE BIBLE.**

A new and intensely interesting series. Also, Illuminated and Transparent Views, in great effect. We have exclusive Agents in America for "PERRIER'S GRAND VIEWS," of which we have a splendid assortment. Agents for Fenin's Series of 9 1-4 x 8 1-2 in. Photographic Views in Switzerland, the Alps, England, Scotland, Wales, &c.

STEREOSCOPES.—We manufacture very largely, and have a large stock, always kept at the lowest rates.

PHOTOGRAPHIC ALBUMS.—Our Manufacture of Albums is well known throughout the country as superior in quality and beauty to all others.

All our sales are made in our own Factory, and our styles are different from those of any other house. Buyers should not fail to see our stock before making their purchases.

**CHROMOS.**

These beautiful pictures, that cannot be distinguished from the finest Oil Paintings, at one tenth their cost, we import largely from Paris, London, Berlin, Vienna and Rome, and supply the trade at the lowest rates.

**E. & H. T. ANTHONY & CO.,**

501 BROADWAY, N. Y.,

Importers and Manufrs of Photographic Materials.

**Special Notices.**

NOTICE.—There will be a meeting of the Republican citizens, or Cool Spring Township, No. 7, at Burnt Chimney, on the 3rd Saturday in July, at 1 o'clock, P. M., for the purpose of nominating candidates for Township Officers. A full turnout is requested.

MANY REPUBLICANS.

**Notice!**

THE repairing of the County Jail and repairing of the Court House will be let to the lowest bidder at the Court House in Rutherfordton on Saturday the 31st day of July, 1869.

By order of the Commissioners.

R. J. WILLIAMS,
July 8 td. Clerk Ex. O.fcio

**To Bridge Builders.**

The Commissioners of Rutherford County will let to the lowest bidder, at McClurre's bridge on Middle Broad River on Saturday 17th, July, the rebuilding of the same. The Commissioners hereby notify the public that said bridge is now unsafe, and as they have not been able to have the same repaired, give this notice to all concerned that they will no longer be responsible for any damage.

By order of the Commissioners.

t.d. R. J. WILLIAMS, Clerk *Ex. Officio.*

***TO CONSUMPTIVES!***

THE Advertiser, having been restored to health in a few weeks, by a very simple remedy, after having suffered several years with a severe lung affection, and that dread disease, Consumption is anxious to make known to his fellow sufferers the means of cure.

To all who desire it, he will send a copy of the prescription used (free of charge), with the directions for preparing and using the same, which they will find a SURE CURE FOR CONSUMPTION, ASTHMA, BRONCHITIS, &c. The object of the advertiser in sending the Prescription is to benefit the afflicted, and spread information which he conceives to be invaluable and he hopes every sufferer will try his remedy, as it will cost nothing, and may prove a blessing.

Parties wishing the prescription will please address REV. EDWARD A. WILSON, Williamsburg, Kings County, New York. 19-1y. [P.&Co.]

***ERRORS OF YOUTH.***

A GENTLEMAN who suffered for years from Nervous Debility, Premature Decay, and all the effects of youthful indiscretion, will, for the sake of suffering humanity, send free to all who need it, the receipt and directions for making the simple remedy by which he was cured. Sufferers wishing to profit by the advertiser's experience, can do so by addressing, in perfect confidence,

JOHN B. OGDEN,
No. 42 Cedar street, New York.
19-1y. [P.&Co.]


### Official.

The following ordinance was passed by the Commissioners of the Town of Rutherfordton at a meeting—June 3rd 1869.

The Commissioners of the Town of Rutherfordton do ordain

That any person, allowing his, or her, hogs or goats to run at large on the streets longer than 24 hours, shall forfeit and pay for each and every hog or goat so running at large a fine of one dollar per head. This Ordinance to go into effect from and after the 1st day of October 1869.


**SMITH'S**

**Boot, Shoe and Leather Store,**

NEXT DOOR TO DEWEY'S BANK,

**Charlotte, N. C.**

**The Largest Wholesale and Retail Shoe Establishment in North Carolina.**

Their stock of Leather and Shoe Findings is most complete, embracing every grade of Hemlock and Oak Sole Leather,

Upper Leather,
French and American Calf Skin,
Kip, Lasts, &c., &c.

They also furnish all widths of Rubber and Leather Belting at Manufacturers' prices.

**Wholesale Department.**

They have received their Fall and Winter Stock, the largest and most complete ever brought to this market, and will sell to merchants at

**New York Wholesale Prices.**

Their expenses being much less, and as they buy exclusively from manufacturers, there is no reason why they cannot sell at as low prices as the New York Jobber.

All they ask is a fair trial. Remember and ask for

**SMITH'S SHOE STORE,**

next door to Dewey's Bank, Charlotte, N. C.

dec 19 47-tf


STATE OF NORTH CAROLINA, } POLK COUNTY. }

SUPERIOR COURT OF LAW, VACATION.

JOHN GARRISON, Administrator of
vs. } Petition to sell land
George Williams, dec'd., } to constitute assets
J. W. Hampton, & others.

A Petition for sale of land as above, having been filed in my office, and it appearing that Marcus Morrow and wife Harriet, and — Dines and wife Sophia, defendants are non-residents of the State. It is therefore ordered, that publication be made in the Rutherford STAR, for six weeks notifying the said none residents, Marcus Morrow and wife Harriet, — Dines and wife Sophia, that they be and appear at the Court House in Columbus, Polk County, on the 1st Monday in August, 1869, and show cause, if any they have why the prayer of the petitioners shall not be granted or judgment *pro confesso* will be taken as to them.

Witness R. S. ABRAMS, clerk of said court at office this 6th day of June, 1866.

20-6t R. S. ABRAMS, S. C. C.

STATE OF NORTH CAROLINA, } POLK COUNTY. }

SUPERIOR COURT OF LAW, VACATION.

JAS E. HANNON, Executor of
Elizabeth K. Harnon, dec'd., } Petition to sell
vs. } Land, to con
Thos Huntsinger, & wife Susan } stitute assets.

A Petition for sale of land as above having been filed in my office, and it appearing that Thomas Huntsinger and wife Susan, defendants are none residents of the State It is therefore ordered, that publication be made in the Rutherford STAR, for six weeks notifying the said non-resident defendants that they be and appear before me the undersigned at the Court House in Columbus Polk County, on the 1st Monday in August next 1869, and show cause if any they have, why the prayer of the petitioner shall not be granted or judgment *pro confesso* will be taken as to them.

Witness R. S. ABRAMS, clerk of said court at office in Columbus, this 6th day of June 1869.

20 6t. R. S. ABRAMS, S. C. C.


CAUTION! WE desire to warn the consumers of snuff generally, that since the war, certain tobacco manufacturers, being unable to find a market for their snuffs, felt themselves obliged to counterfeit the general appearance of our packages, and imitate our Trade Marks, so that a close inspection is necessary to detect the spurious article from the genuine, and others going so far as to assert that "Lorillard's Snuff is no longer made."

In making this publication we desire to warn the public against the impositions practiced upon them; as they are the losers thereby. It will be found upon comparison that Lorillard's Snuff is "far ahead" of all others, being made of the best stock, after an original and secret process known only to ourselves, besides possessing great age, strength and pungency, and is warranted not to contain any dangerous or deleterious substances, which cannot be said of the many worthless articles put on sale by others. The best is the cheapest in the end. A circular will always be mailed on application. In ordering please specify if Salt Snuff (High Toast) or Fresh Snuff, (Extra Scotch) is desired.

**P. LORILLARD, New York.**

mch.18-tl. (G.P.R.&Co.) 8.


## COMMERCIAL.

### Rutherfordton Markets.

CORRECTED WEEKLY BY

JONES & BRYAN,

DEALERS IN

Dry Goods, Groceries, Hardware, &c.

| | |
|---|---|
| BACON | 18@20 |
| BEEF | 4@6 |
| BUTTER | 15 |
| BEESWAX | 25 |
| CANDLES, adamantine | 35 |
| CASTINGS | 8@10 |
| CHEESE | 35@40 |
| COFFEE | 37 |
| CORN | 80@85 |
| COTTON | 20@220 |
| " CLOTH | 16@22 |
| " YARN | 225 |
| DRIED FRUIT—PEACHES Pealed | 8@9lb |
| " " Bright Unpealed | 5c |
| APPLES, Pealed. Bright | 4 |
| EGGS | 10 |
| FLOUR, per sack | $6@$8 |
| FODDER, per cwt. | 80@100 |
| FEATHERS | 30@40 |
| FLAX CLOTH | 20@40 |
| HIDES, dry | 10@20 |
| HIDES green | 8 |
| IRON | 7 |
| JANES, wool | 40@10 |
| LARD | 15@20 |
| MEAL per bu | 100 |
| NAILS | 10@12½ |
| OATS, per bushel | 60 |
| PEAS | 80@85 |
| POTATOES, Irish | 55 |
| POTATOES sweet | 50 |
| PORK—gross | 9 |
| nett | 10 |
| RAGS | 3 |
| RICE | 16½@20 |
| ROCK ISLAND CASIMERE | 75@$1 |
| ROPE | 25@30 |
| SALT per sack $5.50 | per lb 2 |
| SUGAR | 16@25 |
| SPTS TURPENTINE, per gal | 2 00 |
| TALLOW | 15 |
| TEA, per lb | $2 00@$2 50 |
| WHEAT | 1 50@2 00 |
| WOOL—well washed | 50@60 |

### CHARLOTTE PRODUCE MARKET.

RETAIL PRICES FROM STORES.

| | | |
|---|---|---|
| BACON—NORTH CAROLINA. | | |
| Hams, per lb | 22½@ | 25 |
| Shoulders, " | 17 @ | 18 |
| Sides, " | 20 @ | 21 |
| Hog Round, " | 00 @ | 20 |
| WESTERN. | | |
| Hams, " | 23 @ | 25 |
| Sides, " | 18 @ | 20 |
| Shoulders, " | 16 @ | 17 |
| BAGGING— | | |
| Gunny, per yard | 25 @ | 28 |
| Bale rope, per lb | 8 @ | 10 |
| Beeswax, " | 30 @ | 35 |
| COFFEE— | | |
| Java, " | 35 @ | 40 |
| Rio, " | 22½@ | 25 |
| Laguayra, " | 26 @ | 30 |
| Corn Meal per bush | $1.00@ | 1.25 |
| DOMESTICS— | | |
| Sheeting, 4-4, per yard | 15 @ | 18 |
| Cotton Yarn, per bunch | $2.00@ | 2 10 |
| FISH— | | |
| Mackerel No. 1, per barrel | $18 00@ | 20 00 |
| No. 1, per half bbl | 11 50@ | |
| No. 2, " " | 10.50@ | 12.00 |
| No. 2, per bbl | 20.00@ | 00.00 |
| No. 1, by kits | 3.50@ | 4.00 |
| No. 2, " | 2.75@ | 3.00 |
| No. 3, " | 2.50@ | 2.75 |
| FLOUR— | | |
| Southern, per bbl | $10.00@ | 12.50 |
| Northern, " | 8.00@ | 12 00 |
| GRAIN— | | |
| Corn, per bush | 1.05@ | 1.10 |
| Oats, " | 75@ | 80 |
| Peas, " | 90@ | 1.00 |
| Wheat, " | 0.00@ | 0.00 |
| LARD— | | |
| Northern, per lb | 20@ | 25 |
| North Carolina, " | 20@ | 25 |
| MOLASSES, per gal | 60@ | 1.25 |
| NAILS, per keg | 6.00@ | 6.25 |
| Northern Irish, " | 2.50@ | 3.00 |
| Sweet, " | 1.00@ | 1.25 |
| SUGAR— | | |
| New Orleans, " | 16@ | 18 |
| Muscovado " | 15@ | 17 |
| Crushed " | 20@ | 22 |
| SALT— | | |
| Liverpool, per sack | 2.75@ | 2 85 |
| TALLOW, per lb | 10@ | 15 |
| WHISKEY— | | |
| North Carolina, per gal | 1.40@ | 2.00 |
| Northern, " | 1.75@ | 4.00 |

### FINANCIAL.

**Charlotte Money Market.**

| BUYING RATES OF BANK NOTES, &c. | |
|---|---|
| Bank of North Carolina, | 45c |
| " Cape Fear, | 35 |
| " Charlotte, | 40 |
| " Windesboro, | 23 |
| " Wilmington, | 39 |
| " Roxboro, | 60 |
| " Thomasville, | 20 |
| " Graham, | 25 |
| " Lexington, (old) | 5 |
| " " (new) | 5 |
| " Commerce, | 17 |
| " Clarendon, | 4 |
| " Fayetteville, | 12 |
| " Washington, | 4 |
| " Yanceyville, | 3 |
| Merchants' Bank of Newbern, | 60 |
| Farmers' Bank of Greensboro', (old) | 35 |
| " " " (new) | 12 |
| Miners' and Planters' Bank, | 40 |
| Commercial Bank of Wilmington, | 39 |
| Greensboro Mutual Ins. Co., (old) | 7 |
| Virginia Bank about Notes average | 25 |
| South Carolina " | 25 |
| Georgia " | 20 |
| N. C. Railroad Stock, | 20 |
| N. C. R. R. Dividend Scrip, | 80 |


**Large Stock of Hardware.**

WE OFFER our Stock to the Wholesale and Retail trade at prices to suit the times for cash. Call and see our stock and hear our prices.

BREM, BROWN & CO.,
Oates Building, Trade Street,
feb 27 Charlotte, N. C.


A CARD

**To Wholesale Buyers.**

Thanking our numerous friends who in the past so lavishly bestowed their favors upon us, and thereby placing us among the

**First of the Merchants of Charlotte.**

a title which we recognize with proud satisfaction, which we will endeavor to maintain by

**Fair Dealing and Extraordinary Inducements.**

This coming season, in view of which and the anticipation in the rise of goods, our

**MR. RINTELS,**

has already left for Northern markets (much earlier than usual) where, by his well known energy and good judgment in the selection of goods suitable for this market, we hope to be able by the

**25th of this Month**

to present the first and largest stock of goods ever brought to this State by any house, which we respectfully invite our numerous customers and all others who come to this market to purchase. Very Respectfully,

WITTKOWSKY & RINTELS.

**Mr. A. R. MAYER**

is now with the above famous and well known House where he will be pleased to see his friends fe27.tf 6


ROCK ISLAND JEANS at 50 cents per yard. Best quality of Rock Island Jeans for $1 25 per yard, for sale by J. W. CLARKE. june 24tf

**NEW SUMMER GOODS.**

JUST RECEIVED AT

**CRATON'S STORE.**

I HAVE just received from New York and Charleston, a very large and desirable stock of GOODS, consisting of

**DRY GOODS,**
**Notions,**
**Fancy Articles,**
**Dress Goods,** for Ladies' and Gentlemen,
**Hardware,**
**Hats,**
**Boots,**
**Shoes** in great variety

A LARGE LOT OF CHOICE GROCERIES embracing,

SUGAR,
COFFEE,
TEA,
SODA,
SALT,
CHEESE,
CRACKERS,
OYSTERS,
&c., &c.,

CROCKERY and GLASSWARE in abundance.

DRUGS, MEDICINES, PAINTS, OILS, VARNISHES, DYE STUFFS, WINDOW GLASS, PUTTY,

and everything in fact usually kept in a first class Retail Store, all of which will be sold at greatly reduced prices for Cash or Country Produce.

My friends and the public generally are respectfully invited to call and examine my stock, as I feel confident that I can and will sell them

GOOD GOODS

as low as they can be bought in Charlotte or elsewhere for Cash or Country Produce.

J. M. CRATON.

june3-19-tf

**NEW GOODS.**

**Messrs. JONES &

# Rutherford Star.

A. D'K. WALLACE,
LOCAL EDITOR.

*Best Advertising Medium in Western North Carolina.*

RUTHERFORDTON, N. C.

THURSDAY, JULY 22, 1869.


## LOCAL AND STATE.

### Republican Meeting.

The meeting of the Republicans of Rutherfordton Township called for last Saturday, was postponed to next Saturday, the 24th inst.

We want all the Republicans in the Township to be present, and participate in the meeting. Come!

If a girl steals a young man's heart, should *capital punishment* be inflicted on her for *robbing the mate?*

☞ Capt. THOMAS W. LINDSAY has returned, and can be found at his post. He has a supply of new material, and if you want a good life-like picture the Captain can take it. Go early, as he will stay only ten days.—*Vindicator, July 19th.*

Capt. Lindsay left here on the 19th inst. Perhaps you are ten days behind time in the manufacture of your locals. But the *Racing Jake* species are naturally *slow.*

Mary Miller, of Berea, Ohio, while confined in a jail at Cleveland, on account of insanity, committed suicide on Tuesday last, by taking a strip from her balmoral skirt and suspending herself from the top of her cell.—*Ex.*

Dowell, of the *Pioneer* is in *suspense* by being *attached* to one of these same articles. Another sad proof of the melancholy effects produced by insanity.

### Cool Springs Township Nominations

The citizens of Cool Springs Township, No. 7, met according to appointment at Burnt Chimney on Saturday, July 17th, 1869, for the purpose of nominating candidates for Township officers. On motion J. W. Green was called to the chair and A. B. Womach requested to act as Secretary.

The following nominations were made.

For Magistrates—M. J. Harrill and F. Moore.

For Clerk—J. W. Green.

For School Committee—J. T. Moore and J. Harmon.

Order that publication be made in the Rutherford STAR and *Western Vindicator.*

J. W. GREEN, Ch'n.

A. B. WOMACH, Sec'y.

The *Patriot* of last week terms the Republicans "the rule or ruin party." Don't be too fast neighbor. Who wears the cast off clothes of the secessionists and inherits the animus and name of the old Democracy? Who tries to coerce white men into compliance and to Ku Klux negroes into silence. In "sixty-one" Democracy rebelled because it could not rule. In "sixty-nine" the same dog, grown too cowardly to rebel, gripes its face and hides its tail, and sneaks out by moonlight to beat an unarmed black man because he is a radical.—*Greensboro Register.*

### Virginia State Officers and Congressmen.

Below we give the officers elected in Virginia on the 6th inst:

Governor, Gilbert C. Walker, conservative; Lieutenant Governor, John F. Lewis, conservative; Attorney General, James C. Taylor, conservative.

The following are the members of Congress elected:

First district, Dr. D. M. Norton (colored,) independent radical; second district, Col. Jas. H. Platt, radical; third district, Chas. H. Porter, radical; fourth district, Levi C. Thayer, conservative; fifth district, C. L. Robert C. Ridgeway, conservative; sixth district William Milnes, Jr., conservative; seventh district, Lewis McKenzie, conservative; eighth district, James K. Gibson, conservative; at large, Joseph Segar, conservative.

## OFFICIAL.

### PUBLIC LAWS OF NORTH CAROLINA.

PASSED BY THE GENERAL ASSEMBLY OF 1868-'69.

[No. 167.]

An act to provide for the payment of the burial expenses of the late Hon. D. J. Rich, and for other purposes.

[Passed April 9th, 1869.]

Sec. 1. The General Assembly of North Carolina do enact, That the Public Treasurer, upon the warrant of the Governor, is hereby authorized and directed to pay out of the Treasury the sum of two hundred and forty dollars, to defray the burial expenses of the late Hon. D. J. Rich. And the Public Treasurer is also directed to pay the actual expenses incurred by the committee, appointed by the Senate and House of Representatives, in accompanying the remains to its final resting place.

Sec. 2. That the legal representative of the said Hon. D. J. Rich be allowed to draw, upon certificate from the President and Secretary of the Senate, the *per diem* and mileage as allowed by law, and due said Hon. D. J. Rich at his decease.

Sec. 3. That this act shall take effect from and after its ratification.

Ratified the 10th day of April, A. D. 1869.

(No. 168.)

An act to prevent the feelling of trees in Contentnea Creek.

(Passed April 7th, 1869.

Sec. 1. The General Assembly of North Carolina do enact, That it shall not be lawful for any person or persons to fell any trees in Contentnea Creek, between the mouth of the same where it empties into Neuse River, in the counties of Pitt and Lenoir, and Barefoot's Mill, in Wilson county, or on the banks of said stream below high water mark, and suffer said tree or trees to remain within said designated limits for the space of twenty-four hours.

Sec. 2. If any person or persons shall violate the first section of the act, or procure any one to do so, he, she, or they so offending, or procuring others to offend, shall forfeit and pay for each tree felled, within the prohibited limits, the sum of five dollars, to be recovered in an action of debt before any Justice of the Peace within the Township where the offense is committed, or, if the stream, in which the trees are felled, be a boundary line between two or more Townships, then before a Justice of the Peace of either Township; the act on to be brought in the name of the State by the party suing there for, and one half of the recovery to belong to the prosecutor and the other half to the county in which the offense is committed to the support of the poor.

Sec. 3. In addition of the penalty prescribed in the second section of this act, any person or persons violating the provisions of the first section shall be liable to indictment, as for a misdemeanor, and upon conviction thereof, shall be fined not not less than three dollars nor more than one hundred dollars, or be imprisoned at hard labor for such time as the presiding Judge, in his discretion may deem proper.

Sec. 4. It shall be the duty of the presiding Judge holding the Superior Court in the counties of Lenoir, Pitt, Greene and Wilson, to give this act in charge to the grand jurors of their respective Counties, at each term of the Superior Court held therein.

Sec. 5. This act shall be in force from and after thirty days from its ratification.

Ratified the 12th day of April A. D., 1869.

(No. 169.)

An act to authorize the Commissioners of the County of Warren to levy a special tax for the purpose of rebuilding a "Poor House" in said County.

(Passed April 5th, 1869.

Section 1. The General Assembly of North Carolina do enact, That the Commissioners of Warren County be authorized and required, in addition to the tax which they may have power to assess under the general revenue laws of the State, to levy a special tax of one tenth of one per cent. on all the taxable property of said County for the purpose of rebuilding a house for the poor and infirm of the County.

Sec. 2. That the Sheriff of the county of Warren be authorized and required to collect said tax and account for the same to the County Treasurer under like penalty as the other County taxes are collected and accounted for by him.

Sec. 3. That the said tax, when collected, shall constitute a fund to be set apart especially for the purpose hereinbefore set forth.

Sec. 4. That the Commissioners of Warren County be required to proceed forthwith to provide or rebuild and make suitable accommodation for all the poor of said County.

Sec. 4 All laws and clauses of laws coming in conflict with this be and the same are hereby repealed.

Sec. 6. This act shall be in force from and after its ratification.

Ratification the 10th day of April, A. D. 1869.

(No. 170.)

An act to be entitled an act for the preservation of the public health by establishing suitable quarantine regulations for Beaufort Harbor, North Carolina.

Section 1. The General Assembly of North Carolina do enact, That for the preservation of the public health, there shall be established on the point near Fort Macon, North Carolina, a quarantine station, where all vessels subject to quarantine regulations shall be brought to anchor, and await the inspection of the medical officer, and be subject to such rules and regulations as he may prescribe.

Sec. 2. It shall be the duty of the Governor to designate some physician of experience, who shall act as medical quarantine officer for the above station, and who shall prescribe such rules and regulations as may be necessary for the protection of the inhabitants from infectious diseases, and all persons shall be bound by such regulations under penalties to be hereafter designated. The quarantine officer shall duly advertise all quarantine regulations, and cause the pilots to be especially notified of them. He shall make a monthly report of all receipt and disbursements, and shall pay over all money to the Treasurer of the State and shall be removable at the pleasure of the Governor.

Sec. 3. There shall be provided for the use of the quarantine office, a suitable boat furnish with all necessary materials, and he shall employ a crew of two men, at such seasons as quarantine regulations are in force, or when the public health may require it. He shall cause the boat to be kept in repair and always ready for service; which shall be payed out of the Public Treasury, on the certificate of the medical officer that the services were necessary and that the charges were just and reasonable.

Sec. 4. There shall be established at the nearest convenience station on the share, a hospital sufficient for the accomodation of such sick persons as the quarantine medical officer may direct to be removed from vessels for better nursing and the medical officer shall employ such attendance as may be necessary to take care of the sick and may purchase such article of food as ohey may require.

Sec. 5. Every vessel subject to visit and inspection shall pay a fee of five dollars, which shall be collected and accounted for by the medical officer, and every sick person taken to the hospital shall pay a a fee not exceeding three dollars per day until discharged by the medical officer for the payment of which the vessel shall be responsible, and only shall be subject to visit and inspection as may be from parts designated from time to time by the medical officer, except that all vessels having sickness on board shall be brought to the visiting station for examination.

Sec. 6. It shall be the duty of all pilots to bring vessels to the visiting station, as they may be required from time to time by the quarantine officer, and they shall not take any vessel subject to quarantine or visitations past the station until released by the quarantine officer, and any pilot who shall wilfully violate any quarantine regulations, shall forfeit this branch or commission, and from thence be deemed incapable to act as a pilot in any port in the State.

Sec. 7. Any master of a vessel, who shall refuse to obey the quarantine regulations, shall forfeit and pay a fine of two hundred dollars for each day he shall refuse to obey the same, for which forfeiture the property of the Captain, together with the vessel and cargo, shall be held responsible.

Sec. 8. Any person who shall violate the quarantine regulations, as prescribed from time to time or the medical officer, shall forfeit and pay the sum of two hundred dollars for each and every offence, and all penalties and forfeitures imposed by any of the provisions of this act, may be recovered before any jurisdiction having cognizance of the sum due and applied, one half to the informer, the other half to the payment of the expenses of the quarantine establishment.

Sec. 9. The quarantine medical officer may issue a warrant to any sheriff, commanding him to arrest the body of any person violating the quarantine, and have him without delay before some competent jurisdiction for trial.

Sec. 10. The compensation of the quarantine medical officer shall be three hundred dollars per year, and the compensation of the boat's crew shall be twenty dollars per month each while regularly employed: Provided, That one of the crew may be designated by the quarantine officer to take care of the buildings, boats and materials, at an extra compensation of five dollars per month while so employed.

Sec. 11. For the purchase of a site and the erection of a suitable hospital building, and for a boat and necessary material, and expenses for quarantine service, the sum of two thousand dollars is, and the same is hereby appropriated from any moneys in the Public Treasury, not otherwise appropriated, to be expended under the direction of the quarantine officer and one of the Commissioners of Navigation for Beaufort Harbor: Provided, That said Commissioners shall receive no compension for his services.

Sec. 12. All acts and parts of acts, inconsistent with the foregoing, are hereby repealed.

Sec. 13. That this act shall be in force from and after its ratification.

Ratified the 12th day of April, A. D 1869.

(No. 172.)

An act to amend an act entitled "An act relative to the Western Turnpike Road, leading from Asheville westward to Murphy, and thence by separate routes to the Georgia and Tennessee lines.

(Passed April, 3d 1869.)

Sec. 1 The General General Assembly of North Carolina do enact, That an act entitled an act relative to the Westtern Turnpike Road, leading from Ashville westward Murphy, and thence by separate routes to the Georgia and Tennessee lires, ratified March seventeenth, A. D. eighteen hundred and sixty-nine, be, and the same is hereby amended by being made to read in "June," instead of "April" wherever the word April occours in the act referred to.

Sec. 2. This act to be in force from and after its ratification.

Ratified the 19th day of April, A. D. 1869.

(No. 173.)

An act to authorize the commissioners of Hertford county to levy a special tax.

(Passed April 9th, 1869.)

Section 1. The General Assembly of North Carolina do enact, That the Commissioners of Hertford county may levy a special tax, for the year 1869, on all taxable property in said county not exceeding the amount of two thousand dollars, to pay the expenses at building a jail and court house, and tax to be levied and collected in the same manners as other State and county taxes are new and levied collected.

Ratified the 10th day of April, 1869.

(No. 174.

An act supplemental to an act raise Revenue.

Section 1. The General Assmely of North Carolina do enact, That the thirty-fifth section of "An act to rais revenue," ratified the first day of April, 1869, shall not be construed to impose tax upon "Insurance Companies" whose incomes are applied exclusively to charitable purposes; but all such insurance companies and the incomes of such, are hereby declared to be exempt from all State and county taxes.

Sec. 2. This act shall be in force from and after the date of its ratification, and all acts and parts of acts inconsistent herewith are hereby repealed.

Ratified this 12th day of April, A. D. 1869.

(No. 175.)

An act in relation to the assessment of property for taxation in the year eighteen hundred and sixty-nine.

Section 1. The General Assembly of North Carolina do enact, That for the year eighteen hundred and sixty-nine the time designated in the "Act to provide for the collection of taxes by the State, and the several counties of the State, on property, polls and incomes," ratified March sixteenth, eighteen hundred and sixty-nine, for the appointment of Assessors, and all dated relating to the valuation and return thereof of the taxable property of the State, shall be extended thirty days

2. If in any County the duties required of Assessors and Clerks cannot, for want of time, with reasonable diligance be performed at the dates in said act prescribed as extended by this act, the County Commissioners shall have power for the present year, to give further time, not to exceed thirty days. Provided, that nothing herein contained shall be construed to extend the time for the payment of taxes.

Sec. 3. The County Commissioners of the several Counties in the State shall require the several Sheriffs of this State, on the examination of the first year of their respective terms, to renew their official bonds for the collection and disbursement of the public revenue, and such bonds, with sufficient security, shall be taken in such penal sum as in the judgment of such Commissioners will be equal to the amount of the State and County taxes which may come into their hands.

Sec. 4. This act shall be in force from its ratification.

Ratified the 12th day of April, A. D. 8169.

(No. 171.)

An act to authorize the commissioners of Halifax county to levy a special tax for building and repairing public bridges and buildings in said county.

(Passed March 26th, 1869.)

Section. 1. The General Assembly of North Carolina do enact, That the commissioners of Halifax conty be authorized in addition to the tax which they may have power to assess under the general revenue laws of the State, to levy a tax of one-tenth of one per cent on all the taxable property of said county for the purpose of building, repairing and keeping up the public bridges and for the maintenance of the poor of the county.

Sec. 2. That the sheriff of said county of Halifax be authorized and requested to collect said tax, and account for the same to the County Treasurer in the same manner and under the like penalty as the other county taxes are now collected and accounted for by him.

Sec. 3. That the said tax, when collected shall constitute a fund to be set apart exclusively for the purpose hereinbefore set forth.

Sec. 4. That this act shall be in force from and after its ratification.

Ratified the 10th day of April, A. D. 1869.

(No. 176.)

An act supplemental to an act entitled an act to raise revenue.

Sec. 1. The General Assembly North Carolina do enact, That wherever the words Clerks of the County Commissioners occurs in section four, of Schedule C, the words "Clerk of the Superior Court" be substituted therefor.

Sec. 2. That this act shall go into effect after its ratification.

Ratified this 10th day of April, A. D. 1869.


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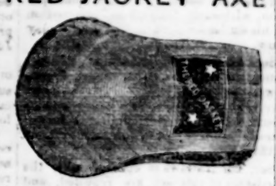

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July 8 1y

(No. 149.)

An act to be entitled "An act concerning Townships."

(Passed April 6th, 1869.)

Sec. 1. The General Assembly of North Carolina do enact, That the Districts reported by the commissioners of the following counties of the State to the present session of the General Assembly, are hereby approved, and said Districts, in obedience to article seven, sections three and four of the Constitution, to-wit: Craven, Granville, Halifax, New Hanover, Chatham, Cumberland, Davidson, Duplin, Edgecombe, Franklin, Guilford, Iredell, Johnston, Mecklenburg, Northampton, Orange, Randolph, Rockingham, Rowan, Warren, Wayne, Alamance, Alexander, Alleghany, Anson, Ashe, Beaufort, Bertie, Bladen, Brunswick, Buncombe, Burke, Cabarrus, Caldwell, Camden, Carteret, Catawba, Clay, Cleveland, Columbus, Currituck, Davie, Forsyth, Gaston, Greene Harnett, Henderson, Haywood, Hertford, Hyde, Jones, Lenoir, Lincoln, Macon, Madison, Martin, McDowell, Mitchell, Montgomery, Moore, Nash, Onslow, Pasquotank, Perquimans, Person, Richmond, Sampson, Stanly, Stokes, Surry, Transylvania, Tyrrell, Union, Watauga, Wilkes, Yadkin, Yancey and Caswell, shall have corporate powers and shall be known as Townships by the boundaries and by the name respectively designated in said reports; but the said districts may be altered or divided, or new townships may be erected by the county commissioners in the manner specified in such division fifteen, section eight of an act of the General Assembly, entitled "An act concerning the government of counties," and ratified the fourteenth day of August, Anno Domini, eighteen hundred and sixty-eight.

Sec. 2. All acts or proceedings by or against a township, in its corporate capacity, shall be in the name of the Board of Trustees of the township.

Sec. 3. The Board of Trustees of each township shall consist of a clerk and two Justices of the Peace, except as otherwise provided in this act in respect to Justices of the Peace in those townships in which cities and towns are situated.

Sec. 4. In every township in which any city or town is situated, or which may consist of a city or town, the number of Justices of the Peace to be elected shall be two more than the number of wards in such city or town, or in case such city or town is not divided into wards, then one additional Justice for each five hundred inhabitants, or if there are less than five hundred inhabitants, one additional Justice; for the purpose of obtaining the number of inhabitants in any such city or town, the corporate authorities shall have power to take a census thereof.

Sec. 5. The first election for township Boards of Trustees, shall be held on the first Thursday in August, eighteen hundred and sixty-nine.

Sec. 6. Such election shall be held in all respects under the rules and regulations now prescribed by law, at such place in each township as the county commissioners may designate, and the return thereof shall be made to the Board of Commissioners of each county, who shall declare the result of said election, and within five days thereof shall notify the persons receiving the majority of votes in each township, of their election.

Sec. 7. The person who are elected at such election shall appear, within five days after service of notice, before the county commissioners and qualify by taking and subscribing the oath of office, which oath shall be filed with the clerk of the Board of Commissioners.

Sec. 8. The Board of Commissioners is authorized to decide in all cases of contested election, subject to appeal to the Superior Court of the county.

Sec. 9. The persons chosen at the first election under this act, shall continue in their office till the first Thursday in August, eighteen hundred and seventy-one, and until their successors shall have qualified, when the regular election for said officers shall be held every two years thereafter.

Sec. 10. At the time and in the manner authorized by this act for the election of Township Boards of Trustees, there shall be held an election for one constable in each township, who shall give bond and security in such reasonable sum as the Board of Trustees may deem sufficient, to be not less than five hundred dollars, nor more than two thousand dollars, and take the oath of office as now prescribed by law.

Sec. 11. The Board of Trustees shall have power to purchase and to hold for the use of the township, such real estate as they may deem necessary, not to exceed one acre, and to erect thereon a township house, which shall be as near central in location as may be; and for the purpose of buying such property and erecting such building, they are authorized, if they deem it expedient, to lay and collect a tax upon all the property in the township, with the approval of a majority of the qualified voters of the township, to be given at an election to be held for that purpose, under the directions of such trustees.

Sec. 12. The Board shall have power to appoint its own meetings, and to adjourn from time to time.

Sec. 13. A majority of the trustees shall constitute a quorum.

Sec. 14. The Board of Trustees shall have authority, within their respective townships, to lay out, alter, repair, or discontinue highways; to establish and settle ferries; to build and keep up bridges, subject to subdivision eleven, section eight, of the before recited acts concerning the government of counties; to lay off or discontinue cartways; to appoint overseers of highways; to allow and contract for the building of toll bridges, and to license the erection of gates across highways. This authority shall be exercised under the rules, regulations, restrictions and penalties, in all respects, prescribed and imposed in chapter one hundred and one of the revised code, upon the Justices of the late county Courts.—The clerk of the Board shall perform the duties therein enjoined upon the clerk of the late county court; and the township constable shall perform the duties imposed in said chapter on the Sheriff.

Sec. 15. In all cases of the exercise of authority under the preceding section, there may be an appeal by either party from the decision of the township Board of Trustees to the Board of Commissioners of the county, whose decision in the case shall be final; and on every appeal, the clerk of the Board of Trustees shall transmit to the Commissioners of the county all the papers in the case, and the parties shall be allowed to be heard before the commissioners de novo.

Sec. 16. The township board of trustees shall assess the property of their townships, and make return to the county commissioners for revision, as may be prescribed by law.

Sec. 17. The township board of trustees of each township shall make out a written report upon the condition of the roads and bridges in their respective townships, to the county commissioners, at least ten days before the regular terms of the Superior Courts of the county.

Sec. 18. The board of trustees shall audit all accounts against the township, as directed in section ten of the act concerning the government of counties; and shall cause semi-annual publications of all accounts, so audited, to be posted at the township house, or other place of meeting if there be no township house, and three other public places in the township.

Sec. 19. The board of trustees shall have power to lay and collect all taxes which may be required to defray the necessary expenses of the township, and the township constable shall collect all taxes so laid and assessed.

Sec. 2. The clerk of the board of trustees shall record all the proceedings of the board, in a book to be provided for that purpose, and keep all its papers and hold them open to the examination of all persons, except on the Sabbath; disburse all moneys belonging to the township, under the order of the board, taking proper vouchers therefor, and making quarterly returns to the board, if required, of all his receipts and disbursements.

Sec. 21. Each Justice of the Peace, who is a member of the board, shall receive two dollars per diem for each day's attendance upon the meeting of the board; and the clerk shall receive the same per diem, with such additional compensation for his duties as clerk as the board may allow.

Sec. 22. The commissioners of any county not included in this act, shall have power to designate their present election precincts, as townships, for school and assessment purposes, until a proper survey is made and a report of the same is made to this body.

Sec. 23. All laws in conflict with the provisions of this act are repealed, and this act shall have force from the day of its ratification.

Ratified the 12th day of April, 4. D. 1869.

(No. 150.)

Amendments to the Code of Civil Procedure.

The General Assembly of North Carolina do enact, That the Code of Civil Procedure be amended as follows:

Section 1. Section 144, page 53, by adding as subdivision 6th, the following:

6. A minute docket, in which shall be entered a record of all proceedings had in the court during term, in the order in which they occur, and such other entries as the Judge of the District may direct to be made therein.

Sec 2. Section 498, page 181, sub-division 1, by inserting after the word "demanded," the words "exclusive of interest."

Sec. 3. Section 499, page 182, by adding the following words: "unless the plaintiff shall remit the excess above two hundred dollars, and shall at the time of filing his complaint, direct the Justice to make this entry: The plaintiff in this action forgives and remits to the defendant all interest, and so much of the principal of this claim, as is in excess of two hundred dollars."

Sec. 4. Section 143, page 53, by adding the following words; "He shall be answerable for all records belonging to his office, and all papers filed in the court, and they shall not be taken from his custody, unless by special order of the court, or on the written consent of the attorneys of record of all the parties; but parties may at all times have copies upon paying the clerks therefor."

Sec. 5. Section 505, page 187, by inserting after the word "Constable," in line 2, the words "or other lawful officer."

Sec. 6. Section 428, page 127, by adding to it the following words: "The provision of section 145, of the Code of Civil Procedure shall be applicable to the furnishing of the books of the Judge of Probate in each county."

Sec. 7. Section 117, by adding the following words: "Any Judge or Clerk of the Superior Court, Notary Public, or Justice of the Peace, shall be competent to take affidavits for the verification of pleadings, in any court or county in the State, and for general purposes."

Sec. 8. Section 143, page 43, by following words: "But no Judge shall be required to return any transcript, decision, or appeal, order made on motion or petition, or other matter to the Clerk, or another party, unless there shall have been forwarded to him sufficient money or stamps to defray the postage on said returns."

Sec. 9. That section 435, by adding the following words: "A civil and criminal docket shall be furnished each Justice, at the expense of the county, as provided in section 145, of this Code, for furnishing the books of the Clerk of the Superior Court, in which shall be entered a minute of every proceeding had in any action before such Justice."

Sec. 10. This act shall be in force from and after its ratification.

Ratified the 10th day of April, 1869.

(No. 152.)

An Act in relation to proceedings in contempt.

The General Assembly of North Carolina do enact:

Section 1. Any person guilty of any of the following acts may be punished for contempt:

1. Disorderly, contemptuous or insolent behavior committed during the sitting of any court of Justice, in immediate view and presence of the court, and directly tending to interrupt its proceedings, or to impair the respect due to its authority.

2. Behavior of the like character committed in the presence of any referee or referees, while actually engaged in any trial or hearing pursuant to the order of any court, or in the presence of any jury, while actually sitting for the trial of a cause, or upon any inquest or other proceedings authorized by law.

3. Any breach of the peace, noise or other disturbance tending to interupt the proceedings of any court.

4. Wilful disobedience of any process or order lawfully issued by any court.

5. Resistance wilfully offered by any person to the lawful order or process of any court.

6. The consummacous and unlawful refusal of any person to be sworn as a witness, or, when so sworn, the like refusal to answer any material question.

7. The publication of grossly inacurate report of the proceedings in any court; but no person can be punished as for a contempt in publishing a true, full and fair report of any trial, argument, decision or proceeding had in court.

8. Misbehavior of any officer of a court in any official transaction.

Sec. 2. The punishment for contempt shall be by fine or imprisonment, or both, in the discretion of the court, the fine not to exceed two hundred and fifty dollars, and the imprisonment not to exceed thirty days.

PROCEEDINGS IN CONTEMPT.

Contempt committed in the immediate view and presence of the court may be punished summarily, but the court shall cause the particulars of the offence to be specified on the record, and a copy of the same to be attached to every committal, attachment or process in the nature of an execution founded on such judgment or order

Sec. 4. Every Justice of the Peace, Judge of Probate, Referee, Commissioner, Clerk of the Superior Court, or Judge of the Superior, or Justice of the Supreme Court shall have power to punish for contempt while sitting for the trial of causes or engaged in official duties.

Sec. 5. The Board of Commissioners of each county shall have power to punish for contempt for any disorderly conduct or disturbance tending to interrupt them in the transaction of their official business,

Sec. 6. Whenever the contempt shall not have been committed in the immediate presence of the court, or so near as to interrupt its business, proceedings thereupon shall be by an order directing the offender to appear, within reasonable time, and show cause why he should not be attached for contempt. At the time specified in the order, the person charged with the contempt may appear and answer, and, if he fail to appear and show cause why he should not be attacked for the contempt charged; he shall be punished as provided in section second of this act.

PROCEEDING AS FOR CONTEMPT TO ENFORCE CIVIL REMEDIES.

Sec. 9. Every Court of Record shall have power to punish as for contempt:

1. Any Clerk, Sheriff, Register, Solicitor, Attorney, Counsellor, Coroner, Constable, Referee, or any other person in any manner selected or appointed to perform any ministerial or judicial service for any neglect or violation of duty or any misconduct, by which the rights or remedies of any party in a cause or matter depending in such court may be defeated, impaired, delayed or prejudiced for disobedience of any lawful order of any court or Judge, or any deceit or abuse of any process or order of any such court or Judge.

2. Parties to suits, attorneys, and all other persons for the non payment of any sum of money ordered by such court, in cases where execution cannot be awarded for the collection of the same.

3. All persons for assuming to be officers, attorneys or counsellors of court, and acting as such without authority, for rescuing any property or person which may be in custody of any officer, by virtue of any order or process of the court, for unlawfully detaining any witness or party to any suit, while going to, remaining at, or returning from the court where the same may be set for trial, or for the unlawful interferance with the proceedings in any action.

4. All persons summoned as witnesses in refusing or neglecting to obey such summons to attend, be sworn or answer as such witness.

5. Parties summoned as jurors for improperly conversing with parties or others in relation to an action to be tried at such court or receiving communications therefrom.

6. All inferior magistrates, officers and tribunals for disobedience of any lawful order of the Court or for proceeding if any matter or cause contrary to law, after the same shall have been removed from their jurisdiction.

7. All other cases where attachments and proceedings, as for contempt, have been heretofore adopted and practiced in courts of Record in this State, to enforce the civil remedies or protect the rights of any party in an action.

Sec. 8. Proceedings as for contempt shall be prosecuted and carried on, as provided in other special proceedings.

Sec. 9. To sustain an action as for contempt, the act complained of must have been such as tended to defeat, impair, impede, prejudice the rights or remedies of a party to an action then pending in court.

Sec. 10. This act shall be in force from and after its ratification.

Ratified the 10th day of April, 1869.

[No. 153.]

An act to define and punish Bribery.

[Passed April 9th, 1869.]

Section 1. The General Assembly of North Carolina do enact, That any person who shall receive, expect, or offer to receive, or pay, offer or promise to pay, contribute, or promise to contribute, to another to be paid issued, any money or other valuable thing, or who shall make any promise to influence, or as a compensation or reward for the giving or withholding a vote at an election shall not vote at said election; and upon challenge for such cause, the person so challenged before the judges or other officers authorized for that purpose to receive his vote, shall swear or affirm before said judges or other officers, that he has not received or offered, does not expect to receive, has not paid, offered or promised to pay, contribute, offered or promised to contribute, to another to be paid or used any money, or other valuable thing, nor made any promise to influence, or as a compensation or reward for the giving or withholding a vote at such election; Provided, That any person convicted in any court of law in this State, of having falsely sworn in such case, shall be liable to all the pains and penalties inflicted in case of perjury.

Sec. 2. That any person holding office under the laws of this State who, except in payment of his legal salary, fess or perquisites, shall receive, or consent to receive, directly or indirectly, anything of value or of personal advantage, or the promise thereof, for performing or omitting to perform, any official act, or with the express or implied understanding that his official action, or omission to act, is to be in any degree influenced thereby, shall be deemed guilty of a felony, and on conviction, shall be punished by imprisonment in the State prison for a time not exceeding five years, or a fine not exceeding five thousand dollars, or both, in the discretion of the court.

Sec 3. That any person offering a bribe, if it shall be accepted, shall not be liable to civil or criminal prosecution, but any person who offers or promises a bribe, shall be deemed guilty of an attempt to bribe, which is hereby declared to be a felony, and, on conviction, shall be punished as provided in section two of this act.

Sec. 4. That any person charged with receiving a bribe, or with offering or promising a bribe that is rejected, shall be permitted to testify in his or her own behalf in any civil or criminal prosecution therefor.

Sec. 5. That any person or persons who shall directly or indirectly promise, offer or give, or cause or procure to be promised, offered or given, any money, goods, rights in action, bribe, present or reward, or any promise, contract, undertaking, obligation or security for the payment or delivery of any money, goods, right in action, bribe present or reward, or any other valuable thing whatever, to any member of the Senate or House of Representatives of this State after his election as such member, and either before or after he shall have qualified and taken this act, with intent to influence his vote or decision on any question, matter, cause or proceeding which may then be pending before the General Assembly, or which may come before him or action in his capacity as a member of the General Assembly, and shall be thereof convicted, said person or persons so offering, promising or giving, or causing or procuring to be promised, offered or given, any such money, goods, right in action, bribe, present or reward, or any form, contract, undertaking, obligation or security of the payment or delivery of any money, goods, right in action, bribe, present or reward, or other valuable thing whatever, and the member or members elect who shall in any wise accept or receive the same, or any part thereof, shall be liable to an indictment as for a felony in the superior court of his State, and shall, upon conviction thereof, be fined not exceeding double the amount so offered, promised or given, and imprisoned in the penitentiary not exceeding five years, and the persons convicted of so accepting the same, or any part thereof, shall forfeit his seat in the General Assembly, and shall be forever disqualified to hold any office of honor, trust or profit under this State.

Sec. 6. That any District Solicitor who shall fail faithfully to prosecute the violation, in their jurisdiction, of any provision of this act, which may come to his knowledge, shall be removed from office by the Governor after due notice and an opportunity to be heard in his defense. The expenses which shall be incurred by any county in investigating and prosecuting any charges of bribery, or attempt to bribe any State officer or member of the General Assembly within said county, and of receiving bribes by any State officer or member of the General Assembly in said county, shall be a charge against the State, and the property attested of him of the county commissioners shall be paid by the Treasurer of the State.

Sec. 7. This act shall be in force from and after its ratification.

Ratified the 10th day of April, A. D. 1869.

[No. 154.]

An act to authorize the several counties of the State to take stock in Railroad Companies.

[Passed March 29th, 1869.]

Sec. 1. The General Assembly of North Carolina do enact, That the County Commissioners of the several counties in this State shall have power to subscribe stock to any Railroad Companies, when necessary to aid in the completion of any railroad in which the citizens of the county may have an interest.

Sec. 2. That the Commissioners of any county proposing to take stock in any railroad company shall meet and agree upon the amount to be subscribed, and if a majority of the Commissioners shall vote for the proposition, this shall be entered of record, which shall show the amount proposed to be subscribed, to what company, and whether in bonds, money or other property, and thereupon the Commissioners shall order an election, to be held on a notice of not less than thirty days for the purpose of voting for or against the proposition to subscribe the amount of stock agreed on by the County Commissioners. And if a majority of the qualified voters of the county shall vote in favor of the proposition, the County Commissioners, through their Chairman, shall have power to subscribe the amount of stock proposed by them, and submitted to the people subject to all the rules, regulations and restrictions of other stockholders in such company or companies: Provided, also, That the counties, in the manner aforesaid, shall subscribe from time to time such amounts either in bonds or money, as they may think proper.

Sec. 3. That all elections ordered under the second section of this act shall be held by the sheriff under the laws and regulations provided for the election of members of the General Assembly, the votes shall be compared by the County Commissioners, who shall make a record of the same.

Sec. 4. In case the county shall subscribe the amount proposed in bonds, the Commissioners shall have power to fix the rate of interest, not to exceed the rate of eight per cent, when the interest on said bonds shall be payable, and at what place, and shall also fix the time and places of paying the interest, and shall also determine the mode and manner of the same; and also to raise by taxations, from year to year, the amount necessary to meet the interest on said bonds.

Sec 5. The taxes authorized by this act, to be raised for the payment of interest or principal, shall be collected by the sheriff in like manner as other public taxes, shall be paid into the hands of the County Treasurer, to be used by the Chairman of the County Commissioners as directed by this act.

Sec. 6. This act shall be in force from and after its ratification.

Ratified the 10th day of April, A. D. 1869.

(No. 158)

An Act in relation to punishment.

[Passed April 10th, 1869.]

Section 1. Punishment for murder.

Every person, who is convicted, in due course law, of any wilful malice prepense shall suffer death.

Sec. 2. Punishment for rape.

Every person who is convicted, in due course of law, of ravishing and carnally knowing any female of the age of ten years or more by force and against her will; or who is convicted, in like manner of unlawfully and carnally knowing and abusing any female child under the age of ten years, shall suffer death.

Sec. 3. Punishment for assault with intention to commit a rape.

Every person convicted by due course of law, of an assault with intent to commit a rape upon the body of any female, shall be imprisoned in the State prison not less than five, nor more than fifteen years.

Sec. 4. Punishment for arson of inhabited dwellings.

Every person convicted, according to due course of law, of any wilful burning of any inhabited dwelling hous, or any part thereof in the night time, shall suffer imprisonment, for the term of his natural life, in the State's prison.

Sec. 5. Arson of gin house or tobacco house.

Every person convicted of any wilful burning of any gin house or tobacco house, or any part thereof, shall be imprisoned in the State prison not less than five, nor more than ten years.

Sec. 6 Crimes heretofore punishable with death, how punished now.

Every person convicted of any crime, whereof the punishment has hitherto been death by the laws of North Carolina existing at the time the present Constitution went into effect, other than the crimes before specified in this act, shall suffer imprisonment in the State's prison not exceeding five years.

Sec. 7. Assault with deadly weapon without intent to kill.

Every person who commits any assault upon the person of another, with any deadly or dangerous weapon, or who unlawfully shoots or attempts to shoot at another with any kind of firearms, with intent to injure any person, without intent to kill such person or to commit any felony, shall be punished, upon conviction, by imprisonment in the State's prison not exceeding five years.

Sec. 8. Assault with deadly weapon with intent to kill.

Every person, who unlawfully shoots, or attempts to shoot at another, with any kind of fire-arms, with intent to kill any person; or who commits any assault upon another by means of any deadly weapon, or by such other means of force as was likely to produce death, with intent to kil any other person, shall, upon conviction, be punishable by imprisonment in the State's prison, not exceeding ten years

Sec. 9. What punishment lieu of corporeal punishment.

Every crime or of nce whatever, heretofore punishable by the laws of North Carolina when the present Constitution went into effect, with public whipping or other corporeal punishment, shall hereafter, in lieu of such corporeal punishment be punished by imprisonment in the State's prison (or county jail) for not less than four months nor more than ten years.

Sec. 10. Where convicts confined till erection of a Penitentiary.

Whenever, until the completion of the State's prison, any person is sentenced to confinement therein such convict may be confined in the County jail or other secure place; or, if such convict be a male, he may be kept at hard labor on the construction of the State prison or other public work, as provided by law; during the whole or any part of his imprisonment, but such term of imprisonment shall begin to run upon and shall include the day of his conviction.

Sec. 11. Repeal

An act entitled "An act in relation to punisment," ratified the twenty-second day of August, Anno Domini, eighteen hundred and sixty-eight, and all laws and parts of laws in conflict with this act are repealed.

Sec 12. This act shall be in force from the day of its ratification.

Ratified this 10th day of April A. D. 1869.

[No. 160.]

An act providing for public charities, and prescribing the duties thereof.

[Passed April 7th, 1869.]

Sec. 1. The General Assembly of North Carolina do enact, That the General Assembly shall, immediately on the ratification of this act, proceed by concurrent vote to select five electors who shall be styled, The Board of Public Charties of the State of North Carolina. One of the persons so elected shall hold office for one year; one for two years; one for three years; one for four years, and one for five years; the term to begin from the first of July 1869. Appointments to fill vacancies in this board, caused by resignation or removal from the State, death, or from any other cause, may be made for the residue of such term by the Governor.

Sec. 2. The board of public charities shall hold regular meetings on the first Tuesdays in January, April, July and October, and as often besides as they may deem needful. They shall make such rules and orders for the regulations of their own proceedings as they may deem proper. They shall investigate and supervise the whole system of the charitable and penal institutions of the State and shall recommend such changes and additional provisions as they may deem needful for their economical and efficient administration, and no changes shall be made in the management of any of the institutions without the advice or consent of the board. They shall receive no compensation for their services except their travelling expenses, which shall be allowed and paid.

Sec. 3. The general condition of the State as effected by crimes, vagrancy and pauperism, shall also come under the view of the board, and it shall be their duty to report to the General Assembly when, in their judgment it may become needful for the erection of the several reformatory institutions, whose organization is provided for in article eleven of the constitution.

Sec. 4. The board shall also give special attention to the causes of insanity, defect or loss of the several senses, idiocy, and the deformity and infirmity of the physical organization. They shall, beside their own observation, avail themselves of correspondence and exchange of facts of the labors of others in these departments, and thus be able to afford the General Assembly data to guide them in future legislation for the amelioration of the condition of the people, as well as to contribute to enlighten public opinion and direct it to interests so vital to the prosperity of the State.

Sec. 5. Personal visits may be required by the board, of one or more of its members, or otherwise, to make careful investigation into the condition of the several county jails and almshouses, and the treatment of their unfortunate inmates, and report on these points, so that the provisions of section six, article eleven of the constitution may be enforced.

Sec. 6. Whenever the board shall have reason to believe that any insane person, not incurable, is deprived of proper remedial treatment, and is confined in any alms house or other place, whether such insane person in a public charge or otherwise, it shall be the duty of said board to cause such insane person to be conveyed to the State Asylum, there to receive the best medical attention. So, also, it shall be their care that all the unfortunate shall participate in the charities of the State.

Sec. 7. The board may require the Superintendent &c., of the several charitable and penal institutions of the State to report to them of any matter relating to its inmates, their manner of instruction and treatment, with structure of their buildings and to furnish them any desired statistics at their command

Sec. 8. The Board of Public Charities shall annually prepare and submit to the General Assembly a complete and full reports of their doings during the preceding year, showing the actual condition of all the State institutions under their control, with such suggestions as they may deem necessary and pertinent, which they shall print.

Sec. 9. This board shall make a special report to the General Assembly of eighteen hundred an seventy on the cause of crimes, pauperism, &c.

Sec. 10. This act shall be in force from and after its ratification.

Ratified the 10th day of April, A. D. 1869.

[No. 161.]

An act to add another section to be marked section 469a, to Chapter VII, Title XIX, of the Code of Civil Procedure.

(Passed April 6th, 1869.

Section. 1. The General Assembly of North Carolina do enact, That the following section, to be marked section 469a, be added to Chapter VII, Titled XIX, of the Code of Civil Procedure, to-wit:

§ 469a. When persons entitled to administration deemed to have renounced.

If any persons, entitled to letters of administration, fails or refuses to apply for such letters within thirty days fater the death of the intestate, the Judge of Probate, on application of any party interested, shall issue a citnation to such persons to show cause, within twenty days after service of the citation, why he should not be deemed to have renounced. If, within the time named in the citation, he neglects to answer or to show cause, he shall be deemed to have renounced his right to administer, and the Judge of Probate must enter an order accordingly, and proceed to grant letters to some other person.

Sec 2. That this act shall take effect from and after its ratification.

Ratified the 12th day of April, A. D. 1869.

(No. 163.)

An Act to authorize the erection of a Bridge across John's river, in Burke county.

(Passed April 3d, 1869.)

Section 1. The General Assembly of North Carolina do enact, That E. J. Erwin, A. H. Erwin, William Bristol, James E. Kincaid, John R. Ruddath, J. A. Puett J. C. H lyburton and William S. Sudduth, of Burke county, and Joseph Corpening and Robert G. Tuttle, of Caldwell county, and their heirs and assigns, be and they are hereby authorized and empowered to erect and keep up a toll bridge across John's River, at or near the present ford or the main public road leading from Morganton in Burke county, to Lenoir in Caldwell county, and to demand and receive such tolls for crossing the same as shall be fixed by a majority of the County Commissioners of the county of Burke.

Sec. 2. That it shall be the duty of the persons named in the first section of this act, in the event of obstructing the ford at the place mentioned, to make another ford equally as good, at some convenient point not more than two hundred yards from the present ford, and open out a good road on either side of said river, leading from said ford into the public road, and in the event of their failure to do so, all persons travelling on said public road shall be allowed to pass over said bridge with their horses, wagons, carriages and other vehicles, and stock of all kinds, without being required to pay any toll for the same.

Sec. 3 That from and after said bridge shall be opened as a toll bridge it shall be deemed a public highway, and the owner or owners thereof shall, on failure to keep the same in good and lawful repair so that the public can travel over it with convenience and safety, be liable to indictment and punishment in the same manner that overseers of public highways now are, and shall also be liable in a civil action for damages to any person who may suffer injury to their person or property on account of such failure.

Sec. 4. That the Judge of the Superior Court of Burke county, upon the petition of said persons named in the first section of this act, shall appoint three disinterested freeholders of said county to view the banks on both sides of said river where the bridge in to be located, and lay off to the use of said petitioners one half acre of ground on either bank and assess the value of said ground, and make a report to the succeeding term of said Court, and upon the petitioners' paying to the owner of said land the value so assessed, and all costs incurred by reason of said petition, then the Judge of said Court shall confirm said report, unless good cause shall be shown by the owners of the land why it ought not to be confirmed and shall condemn the land to the use of the petitioners.

Sec. 5. If the owners of the land on either side shall voluntarily convey the right of way over their land and one half acre on either bank the persons named in the first section of this act, then it shall not be necessary to file a petition as hereinbefore prescribed.

Sec. 6. The privileges herein granted shall be in force for fifty years: Provided, the bridge authorized to be erected shall be completed within two years from the passage of this act.

Sec. 7. This act shall be in force from and after the date of its ratification.

Ratified the 10th day of April, A. D. 1869.

(No. 164.)

An Act to authorize the Dan River Coal Field Rail Road Company to construct and extend their road.

(Passed April 9th, 1869.)

Section 1. The General Assembly of North Carolina do enact, That an ordinance adopted by the Constitutional Convention, and ratified the 16th day of March, eighteen hundred and sixty-eight entitled an ordinance to incorporate the Dan River Coal Field Rail Road Company is hereby ratified and confirmed, and rendered in all respects valid.

Sec. 2. Said Rail Road Company shall have power to extend their Rail Road to the town of Germanton, in the County of Stokes, and thence to some point on the Western North Carolina Rail Road, at or near Statesville, and to construct such branches as they may desire, connecting with the Richmond and Danville Rail Road, and the North Carolina Rail Road; Provided, That the gauge of said Dan River and Coal Field Rail Road shall be the same as that of the North Carolina Rail Road.

Sec. 3. The capital stock of such Rail Road Company shall be increased to two millions of dollars, and to such larger sum as the stockholders, in a meeting to be held for that purpose, may direct.

Sec. 4. The following persons are hereby authorized to open books of subscription as stock to said Company, at such places as they may prefer, and to appoint such other Commissioners as they may consignate, viz; Thomas Settle, J. M. Lindsay, John F. Pandexter.

Sec 5. Subscriptions for stock may be taken in land at such valuation as the general commissioners may prescribe.

Sec. 6. So soon as one hundred thousand dollars of stock may be subscribed the general commissioners may order a meeting of the stockholders to be held at such place as they may designate, and to ascertain that one hundred thousand dollars as subscribed and five per cent. paid in on such subscriptions, the stockholders may proceed to organize said company, by the election of Directors and adopting such by laws for its government as they may deem proper

Sec. 7. The charter shall be considered forfeited and of no value unless said Company shall be organized within two years from its ratification.

Sec. 8. This act to effect from and after its ratification.

Ratified the 11th day of April, A. D. 1869.

(No. 165.)

An act to empower the commissioners of Cumberland County to levy a special tax.

(Passed March 26th, 1869

Whereas, The county of Cumberland has for several years failed to pay the interest falling due upon the bonds of county, given in payment of its subscription to the Western Railroad Company, and,

Whereas, there is now due, and will be due during the current fiscal year, for interest upon said bonds, the sum of forty thousand, three hundred and forty-two dollars, and

Whereas, the ordinary tax which the Commissioners of said county are authorized to levy for the current year, will not pay more than the regular expenses of the county, and other liabilities;

Now, therefore, for the purpose of enabling the Commissioners of Cumberland county to pay off the interest upon the bonds of said county, given in payment of its subscription to the capital stock of the Western Railroad Company;

Section 1. The General Assembly of North Carolina do enact, The Commissioners of Cumberland county are authorized to levy and collect for the present year a special tax of not more than two and one half dollars upon the one hundred dollars' valuation of all moneys, credits, investments in trade, stocks, joint-stock companies or otherwise, and all the real and personal property in said county in addition to the taxes authorized by section seven, article five of the Constitution.

Sec. 2. The tax authorized by the preceding section shall be levied and collected in the same manner as the ordinary county taxes, and all laws applicable thereto shall be applicable to such special tax.

Sec. 3. That this act shall be in force from and after its ratification.

Ratified the 10th day of April, A. D. 1869.

[No. 166.]

An act in relation to a Plank Road.

[Passed March 27th, 1869.

Section 1. The General Assembly of North Carolina do enact, That the County Commissioners of the counties of Forsyth, Davidson and Guilford shall appoint overseers on the Plank Road leading from High Point to Salem.

The Commissioners of each county shall appoint a sufficient number of overseers on the part of the said road as runs through their county, and such overseers to take all road hands convenient to work thereon, and keep in repairs said road until the first day of March, one thousand eight hundred and seventy.

Sec. 2. This act shall be in force from and after its passage.

Ratified the 10th day of April, A. D. 1869.


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